LOCATION: Victorville Hilton Garden Inn
12603 Mariposa Road
Victorville, CA

DATE AND TIME: Saturday, March 26, 2011
8:13 a.m. to 4:28 p.m.

REPORTED BY: JUDITH W. GILLESPIE, CSR, RPR, CLR
(CSR No. 3710)

JOB NO.: 69578JG
APPEARANCES

MEMBERS PRESENT: REPRESENTING:
CHAIR RANDY BANIS Public-at-Large
THOMAS ACUNA Renewable Energy
MEG GROSSGLASS Public-at-Large
PATRICK LLOYD GUNN Wildlife
BRAD MITZELFELT Elected Official
ALEXANDER SCHREINER, JR. Renewable Resources (Absent)
APRIL SALL Public-at-Large
DINAH O. SHUMWAY Nonrenewable Resources
RICHARD RUDNICK Renewable Resources
MONICA ARGANDONA Environmental Protection (Absent)
RICHARD HOLLIDAY Recreation

BLM STAFF PRESENT:
TERI RAML, District Manager, California Desert District (CDD)
BEKKI LASELL, CDD Deputy District Manager, Operations Support
JACK HAMBY, CDD Associate District Manager
STEVE RAZO, CDD External Affairs Officer
DAVID BRIERY, CDD External Affairs Specialist
AL STEIN, CDD Resources Manager
JENNIFER WOLGEMUTH, CDD, Administrative Assistant
HECTOR VILLALOBOS, Ridgecrest Field Office Manager
JOHN KALISH, Palm Springs Field Office Manager
RUSTY LEE, Needles Field Office Manager
MARGARET GOODRO, El Centro Field Office Manager
ROXIE TROST, Barstow Field Office Manager
LARRY BLAINE, Barstow Field Office Chief of Recreation
MICKEY QUILLMAN, Barstow Field Office, Assistant Field Manager
PATRICK CHASSIE, Barstow Field Office, Chief Ranger
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Action on proposed SRP subcommittee

"How the West Was Fun" video presentation
(Wally Cahill, Motor Sports Mania)

Afternoon break

29 Palms Marine Corps Air-to-Ground Combat Center proposed expansion (Chris Proudfoot, 29 Palms Program Mgr for Land Acquisition)

DAC member comments and questions on Marine Corps expansion

Public comment on Marine Corps expansion

Wrap-up and summary, including discussion of theme and agenda topics for meeting scheduled June 3-4 in San Diego area (Randy Banis)

Adjournment

APPENDIX A: Motions and Declarations

APPENDIX B: Written Comments
Victorville, CA Saturday, March 26, 2011

P-R-O-C-E-E-D-I-N-G-S

CHAIRMAN BANIS: Thank you, ladies and gentlemen. I would like to convene this meeting of the Desert Advisory Council to order. And first, I would like to ask my friend Tom Acuna to lead us in the pledge of allegiance.

(Pledge of allegiance)

CHAIRMAN BANIS: Thank you all for coming today. I appreciate you taking this Saturday out of your schedule to join us here. And while I was standing outside having a cup of coffee this morning, I could see all the City's recreationists rolling up the freeway to enjoy a fun weekend, and nothing would be more enjoyable than to be out there with them. And I know you are sacrificing your time to be with us, and we appreciate it very much.

I would like to introduce myself. I'm newly elected chairman of the Desert Advisory Council. Before I do the introductions, I would like very much to say a word of thanks to Tom Acuna, who has served as chairman prior to me.

Tom guided us through a time in which we were
finding our mojo. And Tom was a terrific partner. Tom challenged me regularly to think differently, to think creatively and constructively and to see if there is something we have never done before, and the way to address some issues very unique for us all. And Tom's leadership was really inspirational for me, and I'm going to have a very hard act to follow in this upcoming year.

And I would like for all of you, if you would, kindly join me in a round of thanks to Tom for his services.

(Applause from the audience.)

Fortunately, Tom isn't leaving the Council. Tom's term is still well in swing, and therefore, I would like to introduce -- going off to my right around the table -- to introduce the rest of the Council members, please.

MEMBER ACUNA: Tom Acuna representing renewable energy. Thank you for your kind words and thanks DAC and community for allowing me to serve you. Thanks.

MR. HALLENBECK: Good morning. I'm Tom Hallenbeck. I represent transportation and rights-of-way.

MEMBER GUNN: Good morning. My name is
Patrick Lloyd Gunn. I represent wildlife.

MEMBER SALL: Good morning. April Sall, public-at-large.

MEMBER HOLLIDAY: Dick Holliday, recreation.

MEMBER RUDNICK: Richard Rudnick, renewable resources.

MEMBER SHUMWAY: Dinah Shumway, nonrenewable resources.

MEMBER JOHNSTON: Ron Johnston, public-at-large.

MEMBER GROSSGLASS: Meg Grossglass, public-at-large.

MR. MITZELFELT: Brad Mitzelfelt, San Bernardino County, elected official.

DIRECTOR RAML: I'm Teri Raml, Desert District manager and Designated Federal Official for this DAC.

CHAIRMAN BANIS: We have numerous public comment periods on the agenda today. It would help me greatly to keep organized if you would complete a speaker card available in the back of the room and when completed, if you would be so kind as to hand it to the table to my left, and they will bring it up to me and make sure that I keep organized today.

The public comments will be limited to three
minutes per individual, per speaker comment period. And if there is -- first, this is important. If there is an item you would like to speak about that is not on the agenda, that will be the first comment period on the agenda. So please think for a moment about what you would like to say to us today, review the agenda that's in front of you, and see which of the items are of most interest and fill out the speaker cards accordingly. That will help me make sure that everyone gets a chance today.

First thing we would like to do, please, is to take a motion to approve the transcripts from the last meeting, the December 11th meeting of the DAC. Are there any -- do I have a motion or comments on that, please?

MEMBER SALL: I will make a motion.

CHAIRMAN BANIS: I have a motion from April to accept the transcript. Do I have a second?

MEMBER ACUNA: Second.

CHAIRMAN BANIS: Second from Tom. In favor, aye; opposed? Motion passes. We also would like to review the agenda for today. Are there any items that are not on the agenda that need to be added at this last minute? Hearing and seeing none, is there a motion to approve the agenda?
MEMBER GROSSGLASS: I move we approve the agenda.

MEMBER ACUNA: Second.

CHAIRMAN BANIS: Second by Tom. Are there any objections? Hearing and seeing no objections, the agenda is passed.

Our first item of business is to review a long and productive day that the DAC spent together to review a number of business meeting actions and proposals. It's a continuing effort to organize ourselves and to find our way, and I would like to take a moment, and with Teri and I together, I think we can try to do our best to summarize what was really a productive and creative day.

The first thing, as I mentioned earlier, I was lucky enough to enjoy the support of my colleagues to serve as chair for this upcoming year, and I appreciate that. And I will do the very best I can and make myself available as often as possible to help with anything that my colleagues and the BLM needs.

But I would also like to announce that a vice chairperson was selected, and I'm pleased to say that the vice chair is April Sall.

(Applause from the audience.)

The first thing that we touched on was a
quick strategic work plan that we went through all
together, and I want everybody to look at this because
it's important to understand what the DAC is and in
some ways, what the DAC isn't. You know, a sedan
doesn't do very well on the Mojave Road, but my old
Land Rover doesn't really do too well on the freeways.
Each of them I love, but they are what they are, and
you put those special characteristics to use as
appropriate.

And we spent a good deal of time on some of
our guiding documents, the charter and the bylaws.
But first, to review some of the roles. The most
important thing to understand is that the mission of
the DAC is to provide advice to the BLM through the
Designated Federal Officer, which is the Desert
District manager, Teri Raml. And as we think about
the issues and the things that we want to provide
advice on, we should do so in the context of providing
that advice to the DFO.

The DAC, by the charter, is a vehicle for
taking public comment. Not only to take public
comment to the BLM, but it's important to provide the
public comment to guide the DAC itself in our
decisions. So over the course of the day, as you help
us in deliberating the issues and help inform us of
the issues, it would be very helpful, please, to focus as much as possible on the issues at hand that we are challenged with trying to make a decision on. And to focus those comments in a way in which the Designated Federal Officer can make use of that advice and the DAC can make use of that advice to help guide us all on these issues.

This is important, too -- the DAC is also important because it provides a way in which the BLM can reach out to the various constituencies. Many of you who are here today may find a representative or two at this table that serves the interest that you have, and we would like very much to reach out to you and reach out to our constituents to make sure that you are involved and that you are informed and try to facilitate your involvement on the issues of the BLM.

DIRECTOR RAML: Yes, so one of the -- as we are talking about the strategic plan -- let me back up and I will introduce myself a little bit.

I have been here a year now, and it's been a wonderful year and I have been involved -- we have had four DAC meetings during that time. And I was thinking, because of the capacity of this particular group of individuals that serve on the DAC, that we had an opportunity to even focus our work and even
become even more strategic.

So we put quite a bit of effort in the last several months to putting together a strategic plan that's going to be helpful for the BLM and helpful for the DAC members and hopefully helpful for the public that's interested in certain issues that the DAC brings to the table. But one of the items we talked about is what merits the Desert Advisory Council's attention. And this was expressed by the Council itself, that the three things that will help guide what they take into consideration are their ability to be effective in that issue, and also to be able to come together to deliberate, provide advice to me in a timely way.

Some of the issues that the BLM meets with, if an issue comes up and gets resolved within two months, then it may not be timely for DAC consideration. So one is to have the topics addressed for the DAC to be able to provide timely input. And as all of you know, everybody is busy. We all have way too much to do: Business, family, hobbies, vocations. And for this group of people to spend time on something, it needs to be of significance. They want to spend their time and BLM is interested in having them spend their valuable time on issues
important to the Desert District as a whole.

There are lots of forums for people to provide, but for this particular Council it needs to matter to the desert as a whole. So those are the screens that we will collectively use to determine what the DAC will work on.

So part of it was -- I will talk a little bit about the process we used to kind of come up with the topics for themes. I was interested in -- it's obvious that there are certain priorities. So what we did is I took the California BLM strategic plan that our state directors put together, which is very broad and has lots of topics. And we walked through each of those topics on the strategic plan and kind of looking at the criteria that I discussed, I had some critical items for the DAC to work on, critical topic areas for the DAC to work on.

What would be the best way for us to approach our work on these items? And the way that seemed to make the most sense to us was to establish a key theme. So looking at those priority items or issues or programs to basically target, each of our meetings will be dedicated to that theme. So rather than having a meeting that kind of hits everything lightly, what we will do is we will pick our theme. We have
chosen themes, and we will organize our work, our
public comments, our speakers we bring to the meeting
all around that particular theme.

The benefit of that is that it allows us to
target the specific issues -- the BLM is big, we are
big, we have lots going on -- and by using a key theme
approach it will allow us to seek advice on specific
issues, this idea of providing focus. The other thing
is to allow us to have proper time to prepare for
these meetings and also to be able to engage the
subgroups and the BLM staff to prepare for these
themed meetings. So it's kind of a focus.

At the end of all this -- and this is
important to all of us -- is to be able to make a
difference. So the BLM's commitment is to be able to
report back to the DAC and also to the public, who is
interested in following what the DAC does, how their
work has made a difference and how their advice has
been taken. And in the cases where we can't take
their advice, why we were not able to.

The themes for the DAC for 2011 should be no
surprise to folks here. The first theme is to
continue to be engaged in renewable energy. To all of
us, the renewable energy program and the BLM's
involvement in it is a big issue, and we will continue
to seek DAC advice on renewable energy.

And second -- and that certainly speaks to the number of people gathered in the room today -- our focus will be on providing safe, quality, cost-effective recreation opportunities. And for the BLM, we never can do this work alone. And to do it in partnership with others.

We will continue to do some work on user fees. We are not exactly entirely sure how that will be formulated now, but the DAC will have a role working with the subgroups, most likely, in reviewing our policies and proposals for user fees.

And then our fall meeting is to take a look at the larger California desert landscape, or for us, the National Landscape Conservation System. And I discovered yesterday we have a lot of communication challenges ahead, but basically to talk about that BLM portfolio that includes wilderness areas, national monuments, our trails, our wide and scenic rivers, and spend some time with DAC and interested public on discussing how BLM California or the Desert District specifically can increase our effectiveness in communicating about the larger California landscapes or our National Landscape Conservation System.

CHAIRMAN BANIS: We are doing a little tag
team here to give our vocal cords a rest.

    We have agreed also that it's best -- it's important for us to receive periodic updates from the BLM and the various agencies for the various activities here in the Desert District. And we have done that in the past and we will continue to do that, and that's going to be a key focus for us because we do need to remain educated and informed so we can offer the best advice possible. And we will try through the course of the agendas to focus those agendas on a selected theme, a major issue that wraps around -- it's a wrapper for that meeting.

    We will want to leave room on the agenda and a place on the agenda for critical issues that pop up and that require our attention, but rather than spreading ourselves out on every issue all the time, it might be better to give us a theme that we can address more deeply.

    The DAC will also be discussing what those themes will be in advance so that the BLM will be able to have time to -- and other agencies will have time to prepare good presentations for not only the DAC but for the public, rather than dropping issues on them at the last minute and having to scramble. I think we are going to have much more in-depth and helpful
The BLM will also be engaging the DAC so that we can engage the public, work with the public, and focus our attention on those issues that will really help the BLM.

The next slides go in detail on the four issues. I'm going to hand the microphone back to Teri. We talked a bit over these, and I think Teri has some insight on these major key issues that we will be looking at as our themes.

DIRECTOR RAML: The topic of renewable energy for the DAC has been a challenge for us because of the numerous public processes available for input. And at the same time that they were available for input, there is also some rather large processes. So when we talked about how we would tackle renewable energy, we went back to those three: Can you be effective, significance, and timeliness.

And I think what is really guiding our work on renewable energy, there is certainly an opportunity for DAC to be effective in providing advice. There is certainly significance in the renewable energy program, but where we bumped up against it was timeliness in terms of project input. And last year the DAC worked very successfully in kind of going
really down into the details on certain projects.

But what we recognized is that certainly at the individual solar or wind project level, the DAC's advice couldn't be timely. So we stepped back and took another approach for looking at this. What I am looking for as advice from the DAC is some advice on the BLM, and me in particular, and be effective in working on these larger processes.

We were very active, a number of the DAC members are active in the Desert Renewable Energy Conservation Plan, and I think what I'm seeking advice on is how to increase our effectiveness in that arena. And we also have a solar Programmatic EIS underway, also looking for advice if there is anything associated with those bigger programmatic documents where BLM can pay more attention or pay appropriate attention to all issues.

I think the other thing is the interested advice on the renewable program is a very large program, and it requires a lot of attention. But the impact right now of the projects that we are -- the applications we were processing is still really relatively small. So one of the things I'm interested in and what I need to do to help this conversation with the DAC is to provide a little bit of perspective
on how renewable energy fits on the California desert and seek their advice on that, on how to communicate that to make sure we are doing a good job of describing for the entirety of the BLM, California Desert District's portfolio, where the renewable fits with other programs.

I mentioned there are lots of ongoing processes, lots of scoping periods, lots of public comment periods on drafts. We also have some new processes where we have pre-application meetings open to stakeholders. One of the things I'm going to be seeking advice on is the adequacy on the public input processes, and is there more we should do. If you look at the back table there, you will see we have a lot of information on our Web site. We have the official processes by which we announce meetings and comment periods.

But at times are we seeking advice and in the right place to encourage public involvement in these processes? One of the things about these themes, the theme approach to these meetings is we are raising the bar a little bit on preparation, the quality, quantity of preparation by the BLM and also the lead time. So those are the items we will continue to do.

We will continue to provide briefings. I
think the DAC has expressed interest on updates on
individual projects, so we will continue to do that as
part of the meeting. And we will also -- I will also
communicate back to the DAC on how input from them is
being utilized.

The date and location, we are going to have a
piece on renewable energy at this particular meeting,
but yesterday at the meeting, we also determined that
we want to have one more -- I don't know if I'm
jumping ahead a little bit, but we are going to have
one more opportunity for the DAC to talk about
renewable energy in a more focused manner in between
now and the next stakeholder's meeting for the DRECP.

Next topic: Near and dear to all of us,
recreation. So recreation in the Desert District is
huge and it's broad and it's varied, it's important.
And there is no way that we could proceed without
spending significant time on recreation programs. So
one of the things we are looking at is particularly in
the line of safety, quality and cost effectiveness of
how BLM delivers its recreation program. And we are
going to be seeking input on that.

One of the things that is probably no secret
to all of us if you are listening to the news, the
federal budget is in the news. And I think BLM always
wants assistance, but I think we may be facing times
when we are going to be looking for even more
assistance. We are looking for ways and advice how we
can increase volunteers and expand our partnerships.
I can't even begin to describe the partnerships.
Every time I meet with the field managers, I find out
about new ways for partnerships. There are a lot of
people that live in this area, and is there a way that
we can increase our use of volunteers?

The other is -- I think similar to the
renewable energy program in terms of conversation
versus breadth, we spend a lot of time talking about
motorized recreation. But I know that other forms of
recreation in the California Desert District are
important to people. Often those folks aren't as
organized, so we also want to have a discussion and
seek advice on the broad array of recreation
opportunities in the Desert District and if there are
ways that we should provide focus or make sure that
people know all the opportunities to enjoy their
public lands.

We are going to a piece of this, and we will
talk a lot more about this in the later agenda. We
have special recreation permit programs, and I will
keep going because it will be on this afternoon's
agenda. We have subgroups that are very active, or
two of them that are very active, and we will continue
to seek report out from those subgroups. And we have
a task force that we will talk about later this
afternoon. The focus for that particular meeting is
June 4 in San Diego.

User fees: I will go rather quickly through
this. This is a moving target. We have a REC-RAC,
(R-RAC)Recreation Resource Advisory Council structure
whereby fee increases are approved. That particular
structure is a little bit in flux, the partnership
between the Forest Service and the BLM on that
structure, so we are not exactly sure how things are
going to play out in whether we continue to work in
partnership with the Forest Service on that advisory
council for fee increases. But I know that the
advisory council and particularly the subgroups are
very interested in user fees and particularly fee
increases. So we will continue to engage the DAC on
that topic.

We are looking also not just for increases
and decreases, but what is working and what needs
improvement. Also feedback from other members of the
advisory council. There is kind of a very focused
group of people that know a lot about fees, but I
think it's also because it's an important element of our BLM's delivery method for recreation. I'm anxious to have other members of the advisory council make sure it's understandable if you are not engaged in the very fine details of it.

So anyway, hopefully all the dust will be settled on where we are headed. And we will be able to focus on this particular topic in September, Ridgecrest.

Last one, I gave a pretty large introduction about the larger California Desert Landscape, so I will be seeking suggestions from the DAC on elements of that program. Key messages so the public understands what the National Landscape Conservation System is, if that's even what it's called now and even -- I have been here a year, but coming from another area, the diversity and richness of the California desert landscape is almost unsurpassed. And I have very fond memories of Oregon, Arizona and other places. I am going to be looking for advice, and I think I should stop. Proposed date, November-December focus on NLCS.

CHAIRMAN BANIS: Some of the major issues that we focus on are done through our subgroups. We have two subgroups that are currently constituted.
The ISDRA, which is the Imperial Sand Dunes Recreation Area subgroup, and the Dumont Dunes subgroup. A member of the Dumont Dunes subgroup is John Dalgleish. I served with him on that subgroup for too many years to count. Ed Waldheim sits with us there, and Gerry Hillier, and are there other members of the ISDRA here? I have not been to your meetings. Dick is the chairman of that subgroup. Those of you who are on your subgroups know your mission very well, but these subgroup meetings are open to the public. And it's an opportunity to really get deep into the issues and discuss them at much greater length than often we are afforded here at the DAC.

And the challenges that we have with the subgroups is to make sure that we can provide input on the successes and the challenges and some of the opportunities to improve the safety and the quality and cost effectiveness of recreation in these areas. And it's also important to ensure that we are recruiting and effectively making use of volunteers and the partnerships. And we will be talking about that issue extensively at the June meeting.

The major issue for the September meeting will be in-depth discussion of the BLM fee policies and fee schedules. That also is a major part of the
discussion and agenda for those two subgroups. And a third item -- and also a subgroup for the El Mirage area has been approved by the DAC and is still in the formulation process.

We will be discussing these area-specific operational issues, very specific. The conditions at ISDRA and Dumont Dunes are different. The resources are different. And as much as both of them are dune areas that feature recreating in the dunes, they are very different areas to recreate in. And some people have their favorite areas; sometimes it's just some people like to go to ISDRA and other people like to go to Dumont Dunes. So we can get into these very specific issues and see what the users think is an important priority for these areas.

So what would be helpful for the subgroups is if there are templates established to help us in receiving information, sharing information, as well as templates for reviewing financial matters since the use of user fees and keeping these recreation areas going, the use of fees is up as the No. 1 issue for many of the users and members of the subgroups. And it would be very helpful by standardizing some kind of template so, especially on the DAC side, we can start looking apples and apples and oranges and oranges.
We have some suggestions -- the DAC has suggestions for BLM's consideration. We suggested that the BLM look at additional opportunities for public comment through the Web site to help provide a focused place for you to provide advice and provide your ideas. And we also may consider some public seminars, Webinars over the Internet. Some of you have participated in those before. They are gaining popularity and can be very helpful in promoting remote discussions. It's important to make sure that the public is involved in all of these issues because the NEPA process not only requires it, but the NEPA process benefits from it.

The DAC will benefit also from your input on our discussion items, and we would greatly appreciate your advice on other procedures and other methods for us to gain your suggestions and to get your input. And also, we would like to find a method and a procedure for summarizing our advice and reporting our advice to the public and to provide a way in which the BLM can respond to that advice that we have given and to update us and the public on the status of how that advice has been received and if that advice has been implemented, and if so, how it would be implemented.

DIRECTOR RAML: I will take on this. So at
the end of the day after we had laid out this very aggressive agenda and the themes, we had a brief
discussion where Don helped talk to us about what do we think would be key factors for our future success.

These are the points that came up.

Obviously, a shared understanding of what that is and an understanding of the direction, really making sure that we spend the time to know we are on the same page.

The other is clear, clearness, clear, concise understandable requests from the DFO to the DAC. If I'm asking them to spend time on something, that we know what that is. And that can sometimes be a challenge. Our topics are complex, so it's very important for me to be specific about what we are asking for.

Critical: This is the bane of all of us, I think. Advanced preparation with lead time for review. Lots going on for everybody. So BLM is going to make a commitment to provide materials sufficiently in advance so people who like to have materials to review and think about and be able to formulate their thoughts and concepts, they will have sufficient time to do it. BLM will do their part, and DAC says when we give them that in time, they will use it.
What is important is even though we are looking for structure and focus, I think it's very critical that we provide sufficient opportunities for out-of-the-box thinking. To not construct our work so rigidly that we don't allow brainstorming. And we will look to continue to provide opportunities for creative ideas. And that's how we will learn to do new things.

We talked a lot about the tours. Everybody loves the tours. I certainly do. But -- but yet, we know that the business of reaching shared understanding and all this kind of stuff takes time also. So we made a commitment to continue to do field tours, to be on the resources we are talking about, but at the same time, we are going to try to focus those tours to really complement the theme of the meetings we are having.

And then the other, it's important to provide feedback on the advice that we receive to make the work worthwhile, so we will make every effort to describe that feedback. Some of it will be very specific. It will be a suggestion of an item to do, and we will do the item. And I think the harder part for me is a lot of this stuff has to do with how we influence each other's perspectives.
And that's one of the beauties of having a group like this is through conversation, I learn. I look at things differently, and sometimes it's harder to measure. But I will do my best, particularly when I have little "ah-hah" moments or big "ah-hah" moments to articulate that so people know that they have had an influence on the way we are approaching something. That's it on this topic.

CHAIRMAN BANIS: The DAC will be taking an action to adopt these items. And we will be doing a brief discussion before doing so. We will want to take public comment on these issues before we do.

Don, should we break these into separate, as you suggested, or should we roll on this?

MR. MARUSKA: I suggest you look at it as an overall package of how you are approaching this year. Maybe get a few comments from the DAC members about your experience in creating that yesterday, and then see what comments you get from the public, and then come back for your action.

CHAIRMAN BANIS: There we are. Are there any comments from the DAC on this agenda? Did we summarize it well enough? Were you all at the same meeting we were at? Richard, please.

MEMBER RUDNICK: Just one small
clarification. You spoke of the tours and of focusing on the tours being on the subject at hand or the theme of that meeting.

I would also like to add that it can be a tour of something that was of interest at that time that was not the focus of that meeting, but something that was germane to being solved then in that district.

CHAIRMAN BANIS: Thank you.

MR. HALLENBECK: I'm Tom Halenbeck. There was also a discussion on some changes to the bylaws that would clarify the roles of the subgroups versus subcommittees, a definition to the way that those were put together. Is that for later?

MR. MARUSKA: That's part of this package.

CHAIRMAN BANIS: I would like to introduce Steve Razo from the external affairs office at BLM. And it would be nice to also recognize and introduce Don Maruska, who has been guiding us. He also spent not only yesterday with us, but he has been in pre-meetings. And Don, I'm sure, has spent countless hours in advance of this meeting helping us prepare. Don Maruska has been advising advisory councils all through the west and throughout California, and he has been doing this for many years and is intimately
knowledgeable about the charters and bylaws and the
different operations of the different resource
advisory councils.

We were not all the same. We are somewhat
different flavors and animals, and Don has helped us
keep on track and help understand our unique qualities
and to take advantage of that. We are trying to pull
up for a moment here some of the discussions that we
had regarding the bylaws.

MEMBER SHUMWAY: Before you move to Don's
presentation, also, you might want to remind everybody
that we had also agreed to limit field trips to
perhaps half a day, especially depending on the
schedule of work that we have. That's a possibility
as well.

CHAIRMAN BANIS: In general, we have kind of
discussed a number of ways to make better use of our
time on that Friday and discuss the concept of hybrid
field trips and business meetings. We found
yesterday's business meeting to be really quite
productive, and although we were not anxious to jump
right into another eight-hour marathon, after we have
had a chance to digest some of this, I think we will
have opportunities in the future to help focus our
actions. Steve, take the mike and explain the bylaws.
MR. RAZO: We took a look at the bylaws, the charter. All of the R-RAC charters are going through revision at this time by direction of the Washington office. That includes the DAC charter, and we needed to look at the bylaws to make sure that it conformed to the proposed changes for the DAC charter.

Interestingly enough, though, the DAC charter continues for be going through a change in Washington with wording. The Desert Advisory Council is very unique among all of the RACs in the nation. This is the only one that's congressionally mandated in 1976 by FLPMA, and there is some language in the charter that pertains only to the DAC; it's unique to the DAC. And in some of the areas that it's unique is when we get down into subcommittees, subgroups. Some of that wording has become confusing for those of you who have interacted with the DAC over the years, have heard of TRT's as well as subcommittees and subgroups.

What we are doing is making sure that the current charter or the current bylaws will reflect what the charter is going to indicate in terms of subcommittees, as well as the makeup of the group, the authorized representation of the Desert Advisory Council on those areas represented by the people up front.
One of the issues was elected officials. Somehow the elected official was left off of the last charter. That is being fixed and put back on that. There needs to be an elected official on the Council. One of the changes to that is the old rule was you needed an elected official present if there was going to be a vote on anything. That has changed. No longer is an elected official needed to be present if you have a quorum and you are going to vote on something. If Mr. Mitzelfelt happens to be absent at this time, we will still vote without him, and he is okay with that.

We cleaned up some of the items. This particular one, general requirements, the second paragraph, "Council members may not serve concurrently on more than one resource advisory council, but may represent the council on a related committee. Council members may serve concurrently on council subgroups" and then in red I have "and subgroups" because we have further defined what is a subcommittee and what is a subgroup.

And I'm not going to go through all the bylaws. What I am addressing are the significant changes that we discussed yesterday and how those changes were made. It's hard to see the red, but the
last sentence on the top is in red, which addresses subcommittees. As you can see by my topic header, I changed that to reflect subcommittees, subgroups, technical review teams, and under subcommittees, this definition of a subcommittee is directly off the charter. That has always been in the charter and will continue to be.

Where we added is subcommittees are considered an internal working group of the Council and comprised of Council members only. So there might be a tasking that the DAC might choose to deal with, which they did with renewable energy when they created their little ad hoc committee. Technically that was a subcommittee of the DAC. It didn't involve any outside public input or membership.

Subgroups are formed in the same way; however, the difference is, of course, a subgroup will have public membership in that. And so the process for that becomes a little more formal. And as the people with the ISDRA subgroup and the Dumont Dunes subgroup know, that what that will entail is a formal process of nomination, selection, and appointment of subgroup members is by the DAC with concurrence of the DFO through a public nomination and selection process, and a lot of you have already seen that in action.
So what will happen is, for instance, if there is a proposal today to form an SRP subgroup, what will happen is that we have the authority to declare we need a subgroup. With the concurrence of the DFO, we will have a subgroup. What should happen is Randy will state, now we will have a period of nomination for the public and you will have an opportunity to to nominate yourself to be on that. The parameters will be discussed. There will be a time period and the nominations will come in. They will review them and they will select the members. And then between the chair and the DFO, the chair of that subcommittee will be appointed and then off you go on your mission as the SRP subgroup.

The Technical Review Team is listed just to make sure there is clarifications here. A TRT is strictly made up of federal employees. That would be something very specific that maybe the DAC or Teri feels we need a very technical team to look into this particular matter. It will only involve federal employees and/or paid consultants. It will not involve members of the public, but it's there just to make clear that those are the three types of groups that would be involved when there is a sub of the Desert Advisory Council.
Those are the significant changes or, say, realignment that were done on the bylaws we discussed yesterday.

CHAIRMAN BANIS: Thank you, Steve. Any questions about the bylaws and the presentation? Did we cover everything from our group? Good.

Are there any other comments at this time from the Council regarding yesterday's business meeting? Then I think what would be nice for us to do is hear from the public and get their thoughts on this before I take a motion to act on these items.

And first, I'm glad to see so many friends here in the audience here today. And I hope you all have a chance at the microphone today. Before we start with the general public comments, the comments are three minutes. Jennifer is running a clock over at the table, and we will see how that works today. There is a light, mild ding, and that is not somebody's cell phone going off. That's the sound that your three minutes have expired. And we would appreciate you adhering to that so we can stay on schedule.

Before hearing comments on the general items not on the agenda or the items we have discussed so far, I would like to hear from Supervisor Zack.
Scriver to the DAC as well as to the audience, the newly elected supervisor of neighboring Kern County.

SUPERVISOR SCRIVNER: Thank you, Randy. It's a pleasure to be here. I was elected to the seat formerly occupied by Don Maben. I assumed office January 3. I was a city councilman in Bakersfield, which is Kern County's seat, for six years -- and after the census is now the 9th largest city in the state, so we have cracked the top 10.

I served as district director for Jean Fuller, who is now a state senator. That district is an expansive one, the 18th Senate district from Barstow to Needles, Twentynine Palms, Bakersfield, Ridgecrest, Tulare, et cetera. But most relevant to the DAC, the second district that I now represent has not only, I would say, the bulk of the off-highway desert recreation in Kern County, but is also the home to the epicenter of renewable center resources in the state.

The State of California has set a goal of 5,000 megawatts by 2015, and Kern County already has half of that either constructed or permitted and in the construction process. We have set an aggressive schedule to achieve 10,000 megawatts of renewable energy on line by 2015. We also are the home to what
will be the largest wind energy project in the world, which is Terra-Gen Alta Wind Energy Project between Tehachapi and Mojave.

I understand that there is an effort to seek nominations for elected officials for a second seat on the DAC. I have submitted an application to that, and I look forward to an opportunity to get to serve with you and represent the interests of all the folks that enjoy recreating and are interested in renewable energy resources in the desert areas. Thank you very much.

CHAIRMAN BANIS: Thank you, Supervisor.

I will call the public speakers, please. I would like to start with Ed Waldheim, please.

MR. WALDHEIM: Good morning, everybody. Congratulations, new officer. Boy, you have been wanting to do this, to be the chairman of the DAC. That's cool. Tom, make sure you stay right next to him. Keep guiding him.

In front of you I put a whole bunch of stuff. You have maps that we have produced, the Friends of Jawbone. We have gone outside of your district up in Bishop in Inyo National Forest. That's a new map we have. We keep on doing these all over the place.

For your consideration, we do not have on the
agenda WEMO. WEMO has been left out for some reason.
I gave you packets of things, of statements and
positions that we have, so they were up on the table
for you to look at.

One big thing you have not covered is grants.
We have a partner in our OHV program to provide
funding to manage our public lands, not babysit our
public lands, manage our public lands. And the DAC
has not taken advantage of getting the director of
parks and recreation of the OHV program to dialogue
with you. For some reason we just accept, hey, they
are always going to give us money. We were a big
customer of the State of California, yet we work it
the other way. Somehow we do not give due credit to
the millions and millions of funds provided to BLM to
manage the public lands. We just accept them, and
that has to change.

You need to bring that up to the forefront.
We have a commission meeting coming up on April 4 and
5 down in Heber Dunes in San Diego. We have another
commission coming up on May 24 and 25 up in Yuma. The
acting director of the BLM should be participating in
that group. It just appalls me that a big customer
does not come to this OHV division, OHV commission
meeting. After all, we are providing money for the
federal agency. They are supposed to be the customer. For some reason the BLM and the Forest Service, they feel immune from having to come to that. If they were to cut off the funds to us tomorrow morning, we would be in big, dire need.

The landscape, as Teri brought up, is great. Don't forget that Mark Connelly is the one involved in that. That should be put on the agenda. The PCT should be put on the agenda. We personally work with the field office -- Ridgecrest works with us, the Angeles National Forest works with us, that is not motorized.

Everybody uses wheels to get where they are going, motorized or nonmotorized, you are going to use a wheel to go on a hike. So everybody is an off-roader. I don't care what you think; you are an off-roader. We are all in the same boat working together.

I would like to invite the DAC members to avail yourself to come to, if you can, to the quarterly meeting that we have with Teri, with the leadership meeting. Dick Holliday comes, Meg comes, Randy Banis comes there, but that's available because you get to meet all the field managers and the public who are leaders of the public to work with the field offices and try to resolve issues. Now, it's not a
subgroup or DAC meeting, but a dialogue of us to try to resolve issues as they occur or before they occur.

Thank you.

CHAIRMAN BANIS: Thank you, Ed.

MEMBER GROSSGLASS: Something that you brought up several times, that you said the DAC doesn't engage in the Greensticker Commission. So I would like a specific suggestion on how you think we should engage Daphne or the commission or how you think that kind of partnership -- what is your specific suggestion?

MR. WALDHEIM: On the agenda there should be an Off-Highway Vehicle, OHV State Parks agenda item. And we ask either Daphne Greene or Phil Jacobs or (unintelligible) Fernandez to come to bring you an update on where we are. We are in a big fight for our life, and we are not bringing that here.


MR. WALDHEIM: All of the above. There is not a field office in this room here who doesn't depend on the off-highway program, yet they are not here.

MEMBER GROSSGLASS: Specifically, what do you want them to tell the DAC?
MR. WALDHEIM: I want the DAC to realize how the actual OHV program, how desperately important it is in the operation of the California desert programs. It's a vital -- and the whole State of California, for that matter. We don't give it enough credit, dialogue. We have to work with it. 236 new grants were submitted for this new grant cycle for a total of 37 million dollars. We only have 27 million dollars. You guys don't have a clue what is happening out here. This is something that the DAC should dialogue in. Money is very important. Money talks. Without it nothing happens.

CHAIRMAN BANIS: Do we have any other questions?

MEMBER SHUMWAY: I have a brief comment. Correct me if I'm wrong. Ed has a point about agendizing certain issues that are important to the off-road community. However, I think the new strategic plan we are trying to implement might take care of that, unless there are issues that need attention right now. And we have already resolved that there are issues that can be addressed by e-mail at the DAC and get out some kind of decision, if needed. So if the off-road community, maybe led by Ed, has an issue, they can contact you or Teri.
directly. If they need a decision, we can make that decision. They don't have to be at one of our meetings.

CHAIRMAN BANIS: We have -- recreation will be slated for in-depth discussion for our September meeting. It will be hopefully early in that month and that will --

MR. MARUSKA: June.

CHAIRMAN BANIS: It would be the June meeting. That's going to give us plenty of time to help engage the BLM and the various field offices on how we can better take advantage of the OHV division's grants and to work with us.

MR. WALDHEIM: Please invite the state office to come to dialogue and work with you rather than demand that you be here. But a dialogue that we need her help, assistance in order to maximize our opportunities.

CHAIRMAN BANIS: Absolutely. We have heard from Daphne and her staff, and she is really quite enlightening. And I think that would be a good thing to hear from in the June agenda.

Next speaker, please. It would be Dave Beaumont, followed by John Stewart. Dave Beaumont, please.
MR. BEAUMONT: Thank you. I just simply wanted to ask if anything is occurring with lands with wilderness characteristics at this point in time in the BLM offices.

CHAIRMAN BANIS: The question has been asked if there is anything being done with the wilderness lands.

MR. BEAUMONT: Have they received any public requests for surveys?

DIRECTOR RAML: I count on my field managers and my trusty BLM team to jump in if I'm not answering this question comprehensively enough.

But managing lands for wilderness characteristics -- and I think other folks are interested in the wild lands policy -- the implementation of that happens through planning processes. So where we are engaged in planning, we do take a look at that facet of land management. So that's how it will occur.

So I think, you know, when we are doing renewable energy applications and doing EIS's, we do take a look at the wilderness characteristics aspects during this process. So any kind of planning process, you know, the Imperial Sand Dunes Recreation planning process, any planning process that we have ongoing,
that is the planning process.

MR. BEAUMONT: That is at the end of the planning process. But I understand that there is also at the beginning of it an opportunity for a public individual which feels that an area suits wilderness characteristics or contains wilderness characteristics to make a request.

DIRECTOR RAML: I don't have the same understanding of that. I will look into that a little deeper. To me, it's always part of a planning process, so it would be part of scoping. But I will read closely. But no, we don't have any requests that I am aware of to do it other than associated with planning.

MR. BEAUMONT: My concern was that if you did receive the request and that you started, that the public doesn't know it until the process is finished. That's my big concern.

DIRECTOR RAML: Okay, yes.

CHAIRMAN BANIS: John Stewart and then Gerry Hillier, please.

MR. STEWART: Good morning, Council, John Stewart, California Association of Four-Wheel Drive clubs. Thank you for your focus on strategic planning. I believe it will work towards moving
forward in a cohesive manner and something that focuses the energies.

One thing, when looking at the verbiage for the Council's subgroups and TRTs, the comment was made they are open to the public. And yet there is nothing in the bylaws that indicate they are open to public and how the public interaction would be taken or what the interaction with the public would be.

Second, I would like to say I echo Ed Waldheim's comments, the WEMO and the lawsuit. That's a very important aspect to the recreation opportunities in the desert and should be brought up to be a standalone item and not buried in the field manager's reports.

In 1964 the Wilderness Act gave Congress the authority to designate wilderness areas where motorized recreation is banned. In 1976 the FLPMA gave BLM the authority to identify wilderness study areas managed as wilderness until Congress decides their fate.

The Secretary of Interior Order 3310 announced in late December that it was reversing course on a 2003 settlement between then-Interior Secretary Gale Norton and then-Utah Governor Mike Leavitt that ended BLM's wilderness inventories on all
258 million acres it manages. That settlement barred BLM from creating new wilderness study areas.

The new Interior Department policy will permit BLM the use of temporary roadless protections by identifying certain lands that have not been inventoried as wilderness study areas. And they will be defined as wildlands until Congress decides their fate. The secretary's order does not recognize motorized recreation on public lands as a factor on how people and communities value public lands. Therefore, we believe this action will undermine the long-held authority of Congress to designate wilderness.

Cal4Wheel believes that BLM focus should be on updating existing management plans as directed under FLPMA and submit wilderness proposals to Congress and work to release encumbered lands not found suitable for wilderness to multiple use for other recreation opportunities. Thank you.

CHAIRMAN BANIS: Point taken on the lack of specificity of how the subgroups will be open to the public. But I would refer you to -- I would refer you to the charter. Steve? Is that -- is that we are getting at? The charter, the first paragraph has citations of the specific regulation sections that we
need to pertain to.

MR. RAZO: For point of clarification, I didn't have all of the bylaws up there, but section 3, meeting procedures, it does indicate that all meetings are open, including subgroup meetings. These bylaws, per procedure now that the DAC has adopted, these will be posted publicly; you will have a chance to comment on the bylaws before they become formal.

MR. STEWART: It did not say it within the individual sections. But my interest areas is if they are open to the public, is the public allowed to engage in conversation during the discussion? Will the public be allowed a comment period time, and what type of controls or interaction will be applied when receiving public comments or input at those meetings?

MR. RAZO: I understand.

CHAIRMAN BANIS: Thank you, John. Good morning, Gerry.

MR. HILLIER: Always a pleasure to be here. Always a pleasure to be on the right side of the grass. Old guys and alumni don't get a chance to stand up all that often.

I had a comment specifically with my Quad State Local Government authority hat on this morning. I serve as executive director of that assembly of
local governments in the Mojave and Sonoran deserts. About two weeks ago there was a meeting in Las Vegas called Management Oversight Group that was to announce the release of the revised recovery plan for Desert Tortoises. As it turned out, it didn't happen, and the regional director indicates that it may happen by May 1. At any rate, whether it happened this month or in May, this is a very critical document.

The organization that I represent has been involved in trying to get Fish and Wildlife to this point for the last 12 years. The recovery plan for Desert Tortoises that is still out there was adopted in 1994, and it's horribly out of date and never reviewed or revised by Fish and Wildlife Service, even though they are under a five-year requirement to do such.

The point of my comment here is that when this is released, there are two very important characteristics. One, it has been viewed by BLM that this is a Fish and Wildlife Service thing. The fact of the matter is that BLM will be the primary implementing agency and it will have significant effect on the land use plans, the resource management plans that BLM does.
Second, an integral part of this -- and I think it's part of the public dialogue already -- will be the formation of recovery limitation teams in each one of the recovery units. And these will be composed of a variety of government officials and stakeholders. And as I look at this group, you clearly are stakeholders and behind me and to my side here are another group of stakeholders.

At the MOG meeting in Las Vegas, it was interesting that there was probably 90 people present at this meeting, and I would roughly say that 10 were stakeholders and the other 80 were bureaucrats. And the 10 stakeholders were entirely from the conservation organizations, except myself. So it's going to be very critical that the other stakeholders who have a role to play in Desert Tortoise habitat management and recovery, and regardless of what side of the fence you are on, relative to the kinds of measures that ought to be applied, you are going to have a stake in this.

And I think -- and my reason for standing up at this point in the agenda is to recommend very strongly that BLM have a full review of the recovery plan and its implementation and how they intend to work on it at the soonest meeting after it's released.
by the service, which would obviously be in June. And I encourage you, even though it may not fit with your proposed themes, I think it's a document that's going to have tremendous implications for land use planning going forward, and I think it's something that this Council needs to be fully informed and engaged with.

And I hadn't planned to say anything about your work plan going forward, but I commend you on what you did. Having been an alumni and struggled with how to organize with the advisory councils and have them meaningful and use people's time effectively, I think it was probably timely that you had this understanding. And hopefully, with the rotation of memberships and term limits and all the other things going on, you have set in motion ways to effectively use the Council. And I commend you having spent the day doing what you did.

CHAIRMAN BANIS: Thank you. Appreciate that. Good.

Ladies and gentlemen, I would like to now call for a motion from our body to adopt the framework that we discussed yesterday. Do I have a motion for such?

MEMBER ACUNA: I have a motion that we adopt the framework.
CHAIRMAN BANIS: Moved by Tom.

MEMBER JOHNSTON: Second.


Now we are moving on to Advisory Council --

MR. MARUSKA: Are you going to take an action on the bylaws? Did your motion include the bylaws or are you going to do a separate motion?

CHAIRMAN BANIS: Let me take a second motion. It's more than just a work plan. This is really going to be a guiding document for us.

May I have a motion from the floor relative to the bylaws changes?

MEMBER SHUMWAY: I move that we adopt the bylaws as we discussed yesterday.

CHAIRMAN BANIS: Do I have a second?

MEMBER SALL: Second.

MEMBER HOLLIDAY: I thought that he was going to make it posted for public comment, so that would be something that would be done prior to a motion to approve those.

MR. RAZO: You could be approving the draft. It's going to be a draft going forward now for public review. If there aren't any issues with the public --
CHAIRMAN BANIS: Would that be friendly to the maker and seconder of the motion?

MEMBER SHUMWAY: Please amend that to we approve the draft proposed amendments to the bylaws as discussed on the 25th.

MEMBER SALL: Second.

CHAIRMAN BANIS: Thank you, Dick, for bringing that up. Any further comments?

MR. MITZELFELT: We would do a final approval in June?

CHAIR BANIS: Any comments relative to that?

MR. RAZO: By e-mail.

CHAIRMAN BANIS: That's correct. We will be polling the Council between now and the next meeting by seeking e-mail approval. But please, this item is open for comment. Take that document and look at it very closely. Let us know your suggestions.

Dick, please.

MEMBER HOLLIDAY: Do you want to set a time frame for public comment on that before you have -- is there going to be some kind of an announcement or press release?

MR. RAZO: Yes.

MEMBER HOLLIDAY: Some kind of time frame?

MR. RAZO: Yes, there will be a press
release.

    MEMBER HOLLIDAY: And at the end of the time
frame we will get the comments. And after that
time --

    MR. RAZO: Ten days after that.

    MEMBER HALLENBECK: Just procedural. The
current form of the bylaws depends on additional
changes to the charter. When might those come about?

    MR. RAZO: I fully anticipate there won't be
any show-stoppers there.

    MEMBER HALLENBECK: There is a reference to
paragraph 7-A.

    MR. RAZO: 7-A was removed by the Bush
administration. It's returning. All that references
is the makeup of the Council, which will not change
here. So 7-A is not -- in fact, I took it out because
it wasn't necessary.

    MR. HALLENBECK: Thank you.

    CHAIRMAN BANIS: Motion on the floor is to
approve the draft bylaws. Any opposed? Hearing and
seeing none, the draft bylaws are approved. Thank
you. Appreciate that clarification.

    It's time to move on to Advisory Council
members, and I'm starting to loosen up a little.

    Thank you. Little stiff in the beginning, folks, but
we are getting there. Once I got these cards
organized, I started feeling much better about things.
I would like to start with this side of the table.
Dick, do you have anything you would like to share?

MEMBER HOLLIDAY: I would like to say I think
that the work we did yesterday was quite impressive
and gave us a much better framework for discussion. I
think it will help the public understand better what
we do.

Some of the things that we -- that you see --
that you have seen on the slides were generated last
night from our discussions yesterday. And one of the
important things is to get feedback from the BLM on
our suggestions, positive or negative or whether they
can. And if we make a suggestion and they can't for
some reason do that, get that back to us also so that
we have a framework of what our suggestions have
accomplished.

CHAIRMAN BANIS: April Sall.

MEMBER SALL: Thank you. And I concur with
Dick's comments of yesterday, and it was a really
productive day. And I think moving forward we are
looking for some good dialogue both with BLM and DFO
on how we can be most effective, not only bringing
public representation to the issues, but also getting
feedback from the BLM on how that advice is being
implemented or not and how we can be successful moving
forward and making improvements on those issues.

CHAIRMAN BANIS: Lloyd Gunn, please.

MEMBER GUNN: Would this be the time to read
a statement on renewable energy?

CHAIRMAN BANIS: No, that will be on the
agenda following the field manager reports.

MEMBER HALLENBECK: Nothing to report.

MEMBER ACUNA: Just a real simple thing. The
work we did yesterday, the strategic plan and doing a
better job of planning our future together, I think
it's going to be very timely, especially with the
disaster that happened in the last two weeks in the
nuclear industry. I think all of us in the room
probably would be agree that there is going to be a
lot more focus on renewable production in the desert,
whether you like it or you don't.

It will be interesting to see what the
general public of the United States as well as our
government in DC, what they are going to be pushing
our direction. So I think we will be more focused,
and this is really timely that we are getting ready
for it.

CHAIRMAN BANIS: I think at future meetings
we are going to have to split the two Toms up. Brad Mitzelfelt.

MR. MITZELFELT: First I would like to announce that the county's newest museum, the Victor Valley Museum, which used to be a private museum -- these bookmarks have all the information. I recommend you check it out. I also have these on the table back there. I would like to recognize and thank the Desert Managers Group for their help with the exhibits. I think you will like it. So if you get a chance to check that out, I'm very proud of it.

Secondly, I wanted to mention the county's position on Secretarial Order 3310 of December 22, 2010. County of San Bernardino is seeking the rescission of this order for a few reasons. I will keep it brief. I'm going to give a partial explanation.

One is that the CDPA has already more congressionally designated wilderness than any other unit of BLM-administered land. The 1994 CDPA created wildernesses from both the recommended suitable and recommended unsuitable, thus creating a network of 8.8 million acres of desert wilderness, almost 10 percent of the State of California.

Wilderness, and by extension Wild Lands,
removes federal public land from productive use, in our opinion, to contribute -- used to contribute to the economy of the region and employment. This is most striking in the case of mineral resources, from which exploration for new commercially viable deposits in the CDCA has virtually ceased since 1994.

Wild land, created under the Order, will become administratively designated, and while short of "wilderness," will be subject to non-impairment management until released. This, in essence, adds to the land removed from productive uses.

The recent land use plans prepared in response to the Desert Tortoise listing, WEMO, NECO and NEMO, created broad conservation areas out of the DWMAs (and critical habitat) recommended in the 1994 Recovery Plan. These areas, because of their character, may likely qualify as "wild lands." The plans, however, respected valid existing rights and potential development character on private land by providing for a 1 percent development ceiling. The provision does not designate where this can or should take place. Wild lands designation and its regulatory requirements will potentially and essentially render the plan provision moot. The 1 percent was a significant agreement which made the plan acceptable
to counties as well as other stakeholders.

And despite assurances of public involvement in the process, the public doesn't really have a shot to be involved until after the administrative designation of an area having wilderness character, and until released, the area will be subject to the non-impairment criteria.

We were a bit dismayed by the adoption of this order on December 22nd, as practically Christmas eve, not the best time to announce new regulations and have the public's attention focused, in our opinion. And so we will be seeking again to -- we are opposing that order.

And also I wanted to -- I'm going to pass this out. This is the National Association of Counties adopted a similar position. And in addition to that -- these are all the same -- the County of San Bernardino's position and the Quad State Local Government Authority, of which I'm the Vice Chairman -- these are all in these materials and those all go to the left and I'm doing the right. Okay. Thanks.

MEMBER GROSSGLASS: I was just hoping to stand up for a while.

MEMBER MITZELFELT: I will have a similar
position, and I'm passing those out for your information. Thank you.

    CHAIRMAN BANIS: Thank you, Brad.

    MR. MITZELFELT: We have copies if anyone in the audience wants. Can you put them maybe on the table?

    MR. HILLIER: If the federal official will let me.

    MR. MITZELFELT: Or just see Gerry if you want a copy.

    CHAIRMAN BANIS: Now, the floor goes to the effervescent Meg Grossglass

    MEMBER GROSSGLASS: You are so funny.

    I thought the work we did yesterday was great. One of my pet peeves has been I want us to be effective. Not just sit up here and rattle on. I am not quite sure that is the point of the DAC.

    We worked on several things that we want to try to get more public participation in. I think that is important. There is a lot of public land out there, and the public doesn't always know what is going on, so one of our main goals is to increase public participation.

    And another one of our goals is going to be increase how the public -- to educate the public on
how to make substantive comments through the NEPA process. We don't want to give people the impression if you come here and make a statement, that that's necessarily going to change what is going on with land management planning because we are just an advisory council. So I think educating the public on how to be part of the NEPA process is very important, and I think we will be doing a lot more of that in the future.

CHAIRMAN BANIS: Ron Johnston next.

MEMBER JOHNSTON: Thank you. Well, I think Meg pretty well summarized what I was going to mention. But that's okay, Meg, you did it better than I would have anyway, I'm sure.

I do think, though, that, patting ourselves on the back a little bit, we figured out some ways with the help of Randy and everyone on the panel and Don Maruska, to streamline the things we do and the way we do it with more transparency and effectiveness. So it should make us a more effective body in trying to convey your feelings to the BLM. Anyway, thank you.

CHAIRMAN BANIS: Now, the lady with the cream commute, hometown girl, Dinah Shumway.

MEMBER SHUMWAY: We were going to talk about
renewable energy yesterday and as all you know, I
don't think that's a dead horse yet, so I will be
commenting more on that and continue to beat it to
death.

But I do want to comment on getting
information early. That was one of the strategic
plans we said. We need information earlier than a
week ahead of time so we can all review and schedule.
But I also wanted to thank the field offices again and
acknowledge that they are really making an effort to
standardize their reports to us, which makes it a lot
easier for those of us interested in certain aspects
of BLM management.

I would also like to ask John Kalish to get
on board with the standardization, and I also think
it's really important in renewable energy to, when you
say it's going to be a 100 megawatt plant, I would
like to say "installed" or not, because that's really
important when we go to determine what the least cost
would be. So if it's an installed 100 megawatt plant,
I would like to know that that is what it is.

CHAIRMAN BANIS: And anchoring the table,
Richard Rudnick.

MEMBER RUDNICK: Does that mean I am the
heavyweight? Thank you. Well, between mother nature
and myself, I'm happy to report that renewable
resources are in great shape on the desert. Thank
you.

CHAIRMAN BANIS: That, they are.

For my own report, may I say that the agenda
is ripe for future comment on my behalf. And I'm
actually having a good time just keeping track of
everything that's going on at this moment. So I'm
going to defer my comments to the issues at hand on
the agenda.

We are a minute or two ahead of schedule,
which is a good time for us to move into the district
manager and state director reports. Teri.

DIRECTOR RAML: Well, first, I would like to
introduce the BLM team that's here with me today. I
will start on that side of the room with Patrick at
the coffee machine. Just go across the room. That's
Patrick at the coffee machine.

MR. CHASSIE: Patrick Chassie. I'm the chief
ranger in Barstow. Been there almost six months. I'm
working for Roxie, and I used to be a ranger there,
and I came back and worked for Roxie because she is
awesome.

MR. HAMBY: I'm Jack Hamby. I'm the
Associate District Manager. I have been here a little
over two and a half years.

MR. STEIN: I'm Al Stein, chief of resources in the district office. Been here almost 19 years, at least.

MR. LEE: Rusty Lee, field manager in Needles.

MS. TROST: I'm Roxie Trost. I'm the field manager for Barstow.

MR. KALISH: John Kalish of Palm Springs South Coast field office.

MS. LASELL: Bekki Lasell, chief of operations.

MS. GOODRO: Good morning. I'm Margaret Goodro, El Centro field office manager, on board 10 months. And congratulations, Mr. Chairman.

MR. VILLALOBOS: I'm Hector Villalobos. I'm the field manager in Ridgecrest, and I have been there too long.

MS. WOLGEMUTH: I am Jennifer Wolgemuth. I'm the staff assistant to the District Manager, and I have been in the district office for almost 25 years.

MR. BRIERY: David Briery, external affairs.

MR. RAZO: Stephen Razo, ten years in the district office in external affairs.

MR. BLAINE: Larry Blaine, I work for Roxie
Trost in the Barstow field office. I'm chief of recreation.

MR. QUILLMAN: I'm Mickey Quillman, associate field manager and chief of resources out of the Barstow field office.

MEMBER GROSSGLASS: Nice mustache, Mickey.

DIRECTOR RAML: As you can see, we put a lot of effort in being here, and I'm going to do something a little different with the District Manager and State Director report, because it's available to you over on the table. As you noticed, the field manager reports, you can pick up copies of those. And right after I'm done, you will have an opportunity to ask questions of the field managers. The state director's report on the table covers the items such as personnel -- no changes. Budget -- hope no changes. But I'm not going to go through it, and I'm going to defer my time to public comment.

CHAIRMAN BANIS: All right. Everybody will have a chance to please pick up those documents and look at them closely. We will have a public comment on these reports shortly. We have worked ourselves into a brief break, and we will be readjourn in 15 minutes.

(Recess was taken from 9:42 a.m. to 10:04 a.m.)
CHAIRMAN BANIS: Thank you. I will reconvene the meeting to order.

First, I would like to express the regrets of fellow Council members Monica Argandona and Alex Schreiner, who can't be here today because of longstanding commitments on their schedules.

We are now going to move into Council member questions for the field office managers, district manager and state director reports. And before I do, please, I would like to explain to my fellow Council members, on a motion when I called for an objection, it's not to ram something through; it's just to avoid taking up additional time with an unnecessary vote. If you were in the opposition, please, just signify, and then we will just take a vote. That's all. Thank you. Any questions? Any comments from the Council members today?

MEMBER ACUNA: On the reports?

CHAIRMAN BANIS: On the reports. Tom.

MEMBER ACUNA: Thank you, Randy. Let's see. I have two questions on the field reports.

The first one -- perhaps on the El Centro field office report, perhaps we could hear from Margaret. And to the point of the DAC, why I'm asking this question is, When we look at renewable projects,
there are fast-track projects, we all know that. And that means the government supports finding ways to move these projects along quickly to help get our renewable policy implemented with more generation.

And in Margaret's district, there is one project that got a fast-track approval that apparently is on a rock. And it's not moving forward at this point. So what I would like to ask Margaret is to give us an update on Imperial Valley Solar.

MS. GOODRO: Thanks, Tom. Okay.

So quick update for Imperial Valley Solar. A little overview. Imperial Valley Solar is a larger project, over 6,000 acres, over 700 megawatts would be produced. That project was approved. The right-of-way was approved, and it was to Terra Solar, and we refer to it as Imperial Valley Solar Project. Imperial Valley Solar went into litigation, and the company could no longer stay with the project. And a new company has come forward, which is AES. The BLM then requested that AES provide information to show that it's a viable company and to see if there would be a chance of sustaining the project. And that will be reviewed by the BLM to make a determination. And if that is determined, then they would be submitting for a new plan of development.
MEMBER ACUNA: Can you explain -- I think there is a technological change in their product?

MS. GOODRO: Well, meeting with AES, the original plan was using Stirling Energy dishes, which is a 40 by 40 dish for the solar power. And meeting with AES, what they mentioned is if they do submit a new plan of development, that that plan of development would be utilizing a different system to produce the solar power, and they would not be going with the Stirling Energy.

MEMBER SHUMWAY: I have a question.

CHAIRMAN BANIS: Just a moment. I would like to let Tom continue.

MEMBER ACUNA: I'm hopeful that it's meaningful to the rest of the DAC.

MEMBER SHUMWAY: I have a quick question.

CHAIRMAN BANIS: Dinah, please.

MEMBER SHUMWAY: When you say a viable company, what exactly do you mean?

MS. GOODRO: Basically, part of when you are issuing permits and you have projects like this, the company has to have the financial stability to see a project through. So they have to provide that documentation to the BLM to show that they can sustain and handle a project of that size financially and
management-wise.

MEMBER SHUMWAY: So you are looking at their business plan?

MS. GOODRO: Business plan, basically their portfolio, and also their funds available.

MEMBER SHUMWAY: Thank you.

CHAIRMAN BANIS: Dick.

MEMBER HOLLIDAY: Is that the location we went and visited down there at Placer City? That's where it was; right?

MS. GOODRO: Right. It's right off the 8.

MEMBER HOLLIDAY: Is that American Electric?

MS. GOODRO: AES produces about 10 percent of the power in California.

CHAIRMAN BANIS: Thank you, Margaret. Any other questions?

By the way, just a brief point of order. I do maintain a speaker list. A wink, a little nod and I will get you on the list. And No. 2, a habit of mine is to allow a member to have the floor, follow-up questions, and exhaust their questions before moving on. But in exchange for that privilege, I would like us to have one good round a piece and only have a second bite of the apple if it's short, brief, and you really need it. That way we can all have a chance.
Any other questions for the field manager reports?

MEMBER ACUNA: My second question is regarding the Palm Springs report. And this is towards John Kalish. And it's on page 5, for my fellow DAC members and those in the audience, and it's Item No. 2 is the US Navy Withdrawal Proposal, Vicinity of Campo, San Diego County, California. And it appears to me that the Navy is looking at getting additional land from BLM, taking it from public use similar to Twentynine Palms. And my specific question is John, what kinds of current uses are occurring on that property today that would be excluded as a result of this property being shifted to the Navy?

MR. KALISH: Thank you, Tom. My name is John Kalish, field manager, Palm Springs, South Coast field office.

And again, this is on page 5 of the handout that clearly needs some reformatting. We will certainly do that.

But moving on, yeah, this proposal does involve the United States Navy seeking to withdraw additional lands that were located right northwest of the community of Campo in southern San Diego County. It's in an area called La Posta Mountain, and it's really recognized, for those of you who have spent any
time down in that area, by a very large microwave space relay station. It's a big microwave dish that really harkens back to the early space race days that is still on the very top of the mountain peak. And you can see it for miles. So when you are in that area, you will know that that is the lands that are involved.

As far as the chronology, NASA has had a withdrawal on the top of the mountain that encompasses a little over 1,000 acres for almost 50 years. This facility, due to nonuse, was taken over by the Navy back in the nineties and has been utilized as a mountain warfare training facility, mainly a facility to train the Navy Seals. The Navy identified a need to expand this facility. They essentially outgrew the 1,000 or so acres on top of the mountain.

Back in 2002 to 2004, a plan was developed during that time to expand onto adjacent BLM land that, even though it went through a number of iterations, it was pretty much finalized as a proposed plan that involves a mix of secure or exclusive use lands under a withdrawal to the US Navy. And that area under withdrawal, which would be closed to the public, encompasses 3,385 acres.

But in addition to that, and really to
address public concerns and issues for use of those lands, which are really very scenic -- it's in a very scenic area -- an additional 2,169 acres was proposed to be placed under a right-of-way reservation to the Navy that would allow for both Navy use of those lands as well as ongoing public use.

An Environmental Assessment was completed. Public meetings were held; and we had a lengthy public comment process. And overall, there was very little controversy expressed by the public involving this proposal.

The next steps: We, as an agency, are in the process of submitting a complete package to our Washington office that would recommend this project proposal as stated. That package goes to the Secretary of Interior for his decision as to whether to implement the withdrawal to the Navy, as well as the other right-of-way reservations, that kind of joint use lands tied into the overall project.

Much of the use of that area really involves people that live in and around the community of Campo. They have long regarded these BLM lands around La Posta as their backyard. And you talk to local residents, and they do spend quite a bit of time just getting up into these lands. And in the public
meetings, it was very interesting in that they really supported the idea of an expanded Navy training facility, especially one that involves training of the Navy Seals. And by really providing a mix of the withdrawn lands that are not open to the public that are secure for use of the Navy involving firearms training and other such incompatible uses for an area that would be open to the public, and then adding that, a mix of lands where the Navy would continue to use a lot of their training on those right-of-way grant lands would involve just being able to travel through mountainous, rugged, wooded terrain and especially not being seen. So the public might be out there at some point and find out that the bush they are sitting next to is not a bush, it's a Navy Seal. But they are fine with that, so -- so as far as a good compromise, it seems to have really worked and not a lot of controversy, and we are moving forward with the proposal.

MEMBER ACUNA: Thank you, John. I think you answered the question perfectly, and it's a precursor to what is happening at Twentynine Palms, except there was no controversy and it was supported by the community. Thank you.

MR. KALISH: Right.
CHAIRMAN BANIS: Any other Council member questions? April?

MEMBER SALL: Yeah, I have a similar question for Roxie Trost from Barstow regarding the Calico Solar project update. Would you just talk about the status of the new K-Road component?

MS. TROST: Roxie Trost, field manager, Barstow field office.

It's a similar status as to what Margaret presented for the project in the Imperial Sands Dunes. We are waiting on a new plan of development for K-Road. They are still working on perfecting their application. They are looking also at new technology rather than the Stirling engines. They are looking at Sun PV, with a small field remaining for the Stirling technology. So still in the preliminary phases.

MEMBER SALL: Any timeline anticipated?

MS. TROST: No, not at this point. We are still perfecting the application.

CHAIRMAN BANIS: Any other questions on that or for Roxie?

MEMBER GROSSGLASS: It might be a stupid question, so I'm sorry. Apology first. You mentioned that soil survey is happening out in Johnson Valley and the Natural Resource Conservation Service. Who
are they? Why are they doing it? Is it going to be something bad for us?

MS. TROST: Natural Resources Conservation Service is a governmental organization. And the soil surveys, they dig trenches and just look at the soil type. They take that data and extrapolate it over the area. It also helps us with the grants because one of the grant requirements is that we have completed soil surveys.

MEMBER GROSSGLASS: Good job.

CHAIRMAN BANIS: Hector would like to add to that, please.

MR. VILLALOBOS: Not the soils program.

Hector Villalobos, field manager for the Ridgecrest field office.

And I just wanted to update my report. I had forgotten to acknowledge an important contribution that was made by one of the Council members, and that's Mr. Richard Rudnick. A couple of weeks ago, maybe two or three weeks ago, we had a little dedication to an addition to NLCS lands in the Bright Star Wilderness, and some of the land used to be the Rudnick Trust property.

MEMBER RUDNICK: It was mine.

MR. VILLALOBOS: Yours. So I have to make
sure I'm make the right -- characterizing it the right way.

Anyway, there were several hundred acres, I believe, that were put into the NLCS system. And I wanted to make sure -- I have a little description in here, and those volunteers were out at the Bright Star Wilderness area, and they made a nice little parking trailhead area for those who have to drive to the trailhead. And the hiking trails were reclaimed -- not the hiking trails, but some of the OHV trails were reclaimed. Anyway, that was an acknowledgment I wanted to make.

And also, I failed to put in my report the fact that March is the beginning of our sheep grazing season. And we have bands of sheep that are now in the Spangler area and probably soon we will have about 20 bands. And don't ask me how many sheep are in a band because I get mixed up on it. 300, 800, I'm not sure. But it's a lot of sheep.

So our rangeland management specialist is out there measuring and cropping plants out there, making sure that there is enough forage for the sheep. So we have multiple use going on in the public lands with the sheep grazing.

We are keeping them out of the places they
are not supposed to be in, and the other neat thing
about it is this weekend we are going to have a race
out in the Spangler area, and the sheep are going to
be spectators out there. So we want to make sure they
stay a safe distance away from the course.

CHAIRMAN BANIS: The generous and humble
Richard Rudnick.

MEMBER RUDNICK: Well, I got paid for it.
Don't worry.

But it was -- it was a natural fit to be an
addition to the wilderness, to the Bright Star
Wilderness in the Kelso Creek area. It was part of an
old mining community called Sageland. And my brother
and I bought it some years ago and thought that was
the best use. When they developed the wilderness,
they came right to our border.

Anyway, just a little clarification. A band
of sheep can vary from 600 to 1500, but basically in
the desert, there are 6 to 800 when they have lambs
with them.

MR. VILLALOBOS: That's probably the
number -- 800. And I started adding up, wow, that's a
lot of sheep. But, yeah, 20-plus bands out there this
season, probably. And they started to come in in
March. We are probably going to be seeing them
leaving in May. Thank you.

MEMBER GROSSGLASS: Don't let him go yet.

CHAIRMAN BANIS: Did you have more questions for Hector?

MEMBER GROSSGLASS: I wanted to know, you talked about the Briggs Mine. There was going to be gold mining happening. How are they going to extract that particular resource?

MR. VILLALOBOS: It's going to be some more open pit work in the open pit they have right now, except for the open pit that it's at right now, even though it's in one location, they are going to be expanding into another location that has been previously disturbed, but it's not open pit. It was mined underground many, many years ago. So now they are expanding into that ore body by submitting that amendment to their plan. Again, it's within the same footprint of the mining plan of operations, but now, instead of it just being part of the footprint, now it will be part of the open pit.

MEMBER GROSSGLASS: On the first page of your field manager report, you had two separate subjects on Type II right-of-ways for wind. Why were they separate?

MR. VILLALOBOS: The Type IIIs, there are some
that we have already processed and gone through, and there are some pending. We are waiting for an agreement. We may be waiting for the cost recovery account to be set up. Maybe we are just waiting for them to give us some more updates on what their plans are. That's Type IIs.

But then there is the Type IIIIs. That means they have already gone through their monitoring process, and now they are proposing to put turbines in. And that's one of the areas that the Type IIIIs, mostly concentrated in Tehachapi and around Mojave and Rosemont area. And that's where the CDD RECO team is taking the ball now. We tried to --

MEMBER GROSSGLASS: Sloughed it off.

MR. VILLALOBOS: And they are running with it, basically, and working with the county, because if you know the Tehachapi area, it's very checkerboarded. There's even some projects that are on a 10-acre parcel and separated by private property. So they are developing both the private property and the BLM land in between, looking for access, looking for transmission lines, working with the county on the private property and working with us on the BLM land, putting these packages together to put more turbines in there. Every time I go there, there are more
turbines being put in.

MEMBER GROSSGLASS: Your section on grant requests, I really like the way you put that together. Here is the buckets we requested. Here is the dollar amount, and here is the basic thing. Boom-boom-boom. With one shot I could see exactly what you are doing.

MR. VILLALOBOS: That was the work of Mr. Beck, and we got a grant request in there for about 1.4 million dollars in three categories, and you have it on your report.

MEMBER GROSSGLASS: You did a great job on field office reports. It was nice that they were all consistent, and that was wonderful.

CHAIRMAN BANIS: Hector, a few -- last month, Hector's staff facilitated a fieldtrip by the Ridgecrest steering committee to have a unique opportunity to look at the geothermal power generation stations on the China Lake Naval Weapons Center. It was a very eye-opening opportunity for us all, and thanks to your staff for that.

The segueway, though, is to alert our fellow Council members of the item on page 2, the Haiwee Geothermal Leasing EIS Evaluation Initiative. This tract of land is not only special because of the resource on which it is located, but it's also special
due to some very remote and wonderful recreational opportunities in that area. And I hope when this document comes around, we all have a chance to look at it very carefully. There is a lot to that area.

So thanks again to your staff for having a good look at that.

MEMBER RUDNICK: Just one more clarification that I think maybe is important. On the land that we sold and put into the Bright Star Wilderness, it was facilitated through the Audubon, the Kern River Preserve chapter of the Audubon Society, and they had a donor that paid for the land, so there was no cost to the BLM. It was a straight donation to the BLM of about 600 acres. Just wanted to let you know, you didn't pay for it.

MR. VILLALOBOS: Another credit goes to the district for helping us process that, because we are so busy on renewable energy, we had people like Al Stein and his staff to help process the donation.

MEMBER SHUMWAY: I have a comment and clarification for Meg. The Briggs Mine became permitted and operational in early nineties and was a typical cyanide operation and continues to be, even though it was in reclamation in the last decade. Exploration was going on continually, but it was
recently reopened because of high gold prices, obviously.

CHAIRMAN BANIS: Richard.

MEMBER RUDNICK: I would like to have Rusty come from Needles.

CHAIRMAN BANIS: Hi, Rusty. Thanks for joining us.

MR. LEE: Rusty Lee, Needles field manager.

MEMBER RUDNICK: Rusty, on your report concerning grazing, how many grazing allotments are left in the Needles Resource Area?

MR. LEE: Three: Lazy Daisy, Horsethief, and Clark Mountain.

MEMBER RUDNICK: Now, on Horsethief, you have had a final decision to renew the allotment?

MR. LEE: We have a proposed decision out. We received considerable comment from the interest groups and the permittee on that and are awaiting a final decision at this point of time.

MEMBER RUDNICK: Is it premature to judge what it is?

MR. LEE: Our proposed decision was to renew with the existing management plan in place with the existing AUM's and to basically enforce the allotment management plan in place since, I believe, 1987.
MEMBER RUDNICK: In that -- I understand there is some areas of wilderness, quite a few wilderness areas.

MR. LEE: Considerable wilderness area in that allotment, yes.

MEMBER RUDNICK: It's also my understanding that the main corrals were taken out by the BLM, removed.

MR. LEE: There are actually about 15 corrals in that allotment. One of them was constructed at some point in the past and was never permitted and was constructed on top of an archaeological site, actually, a significant village site. And under an agreement that we have with the State Historic Preservation office dating back before my time, there was an agreement to remove the corral to correct the impacts. And the only sad side of this, because it was not a permitted corral, BLM was not in a position to compensate anyone for its removal.

MEMBER RUDNICK: Did you work with the rancher, Ron Kemper, on removing it?

MR. LEE: I would say we spent considerable time working with Mr. Kemper. I think Mr. Kemper would disagree firmly on that.

MEMBER RUDNICK: What steps are taken to
replace the corrals at another location?

MR. LEE: We have proposed several alternative locations, and actually, we have been proposing alternative locations for that corral since 2006 when it first became a concern. And basically, we were actually, based on a five-hour mediation session, awaiting a proposal from him. He brought issues to the table. And actually, if I could look for -- Jack, you were there. My understanding is that he promised that he would submit a proposal for all alternative locations.

MR. HAMBY: Yes.

MR. LEE: So we are still awaiting that.

MEMBER RUDNICK: What is the process when he picks a location, which I understand there are very few because of the wilderness and there is only a road. And our DAC committee had a barbecue there put on by Ron some years ago when I first came on, about three or four years ago, I believe. Is that the same area, do you know? You weren't there then.

MR. LEE: I wouldn't know, but my understanding is there was a barbecue somewhere up in that location.

MEMBER RUDNICK: It was a campground.

MR. LEE: The campground is considerably down
below. The corral was above Horsethief Springs on the flat.

MEMBER RUDNICK: What would be the process, then? He picks a location or jointly you guys pick a location and then you have to do an EIS or EIR or something?

MR. LEE: Hopefully just an EA on this one. There was a corral there. In my mind, another corral in the neighboring location in the same general vicinity does not change any pattern or type of livestock grazing in that area.

MEMBER RUDNICK: How long would that process take to do an EA?

MR. LEE: Oh, you are talking to an old planner. We have it down to two months normally. About six months. There has to be some degree of public outreach on that. Obviously if the permittee is bringing it to us, we have done CCC, which cuts the timeline down considerably at that point.

MEMBER RUDNICK: That's good.

MR. LEE: One constraint we have in that area is a village site, which is not defined by me but by the archaeologists, and they basically show me the line and say thou shalt not do anything within that line.
MEMBER RUDNICK: How big an area that would be? Do you know how many acres?

MR. LEE: It was large. It was one of the four main village sites that the Paiutes and their predecessors had in this area. They congregated there because it was a major water source, which is pretty typical. If you find water sources in the desert, you will find something of an archeological concern around there. This unfortunately was one of the main habitations sites for desert. You know the other ones: Pahrump Valley, Las Vegas, Tecopa. This is probably the only one that wasn't significantly developed.

MEMBER RUDNICK: A corral, the new corral would be an acre or two acres?

MR. LEE: We were in discussions on this. Some of Mr. Kemper's uses, he needs a larger area because he uses it for calving. So he needs enough area that basically momma cows and calves have sufficient feed in there for that.

MEMBER RUDNICK: He needs a holding pasture, which wouldn't be the same as a corral. It wouldn't be as intense.

MR. LEE: No, what was taken out was a corral. We are trying to work with him to see what
his needs are. Part of his problem is he has three
pastures and corrals in them, but he would prefer to
have one corral versus having to handle them on each
of the pastures separately.

MEMBER RUDNICK: Right. Make it more
efficient and less impacts on the ground having one
central shipping area or working area that he can
utilize.

Okay, that's all my questions. I just hope
you continue to work with Mr. Kemper and get his
corrals located someplace where he can then work his
cattle and make the operation more efficient and
better for the land.


MR. MITZELFELT: Well, actually, I would like
to echo similar concerns and support the request to
work with the permittee. But I also had a question
about -- you mentioned a mediation. What kind of
mediation was that?

MR. LEE: You know, because of the situation
and there had been considerable disagreement on what
has taken place, we actually -- we hired a third party
mediator to come in, and we held a closed door session
with the permittee, his wife, Billy Mitchell came in,
Jack Hamby and I, BLM-wise. And we basically went
through the issues and discussed it in a mediator format. There was a signed agreement that came out of the end of that session. It was reported.

MR. MITZELFELT: So that mediation, was that just done out of the discretion of the bureau or was that part of the permit process?

MR. LEE: No, that was done out of the discretion of the bureau. I want to ask Jack how much it cost because we did have to hire someone to come in third party. We looked around and there wasn't anyone on the bureau that would be considered totally impartial, and same on his side. So we tried to find someone who did not have a grazing background but knew enough about it to be conversant in it. A professional mediator.

CHAIRMAN BANIS: Ron and then Meg, please.

MEMBER JOHNSTON: Hi, Rusty. I find your report very interesting and well written. I just can't help but notice the Horsethief Springs riparian damages section of your report. And it's absolutely appalling that this outfit, this US Iron, is showing reckless disregard. And even though approached by law enforcement, continued to destroy the area for miles and miles of land. What is being done to stop these people?
MR. LEE: We are working on it is about all I can really say at this point. It's a complex situation because the actual mine is on private land. What originally started all of this is they have been unable to bond for their operation on private land. And I don't know quite why they went into the spring or what their thinking was on why they did something on that. Their statement at the time, they did not realize it was public land, which I don't understand.

But we are pursuing that. We have looked for bonding, recovery cost to fix the area back up. If you have been up there, that spring pretty much is it. It's probably the most significant spring source for miles around, so --

CHAIRMAN BANIS: Meg.

MEMBER GROSSGLASS: Was this the area that you talked about on the ride?

MR. LEE: Yes.

MEMBER GROSSGLASS: I don't know if we ever properly thanked you. The route you found around it, the guys loved it. We really appreciate you working with us. Thank you very much.

MR. LEE: You can probably guess where the archaeological fence was, and I do appreciate your working with us, Meg. There is access across this
area, but can we run an event across it? And the answer is we can't. I don't set the archaeology laws. I just have to follow them.

MEMBER GROSSGLASS: Rusty and staff worked with us to find an alternate route, and the guys loved it. Apparently it was a lot more fun. I didn't go up there, so --

MEMBER RUDNICK: Just as a point of clarification, the Horsethief damage that was done was separate than what the grazing allotment is. There is no connection.

MR. LEE: No connection whatsoever. This is related to the Briggs Iron Mine and some of the folks that are hoping to operate that mine in the near future.

MEMBER RUDNICK: Thank you.

CHAIRMAN BANIS: Any other questions? Thank you, Rusty, appreciate that. Any other Council members have questions for the field managers, state reports or district manager reports?

MEMBER GROSSGLASS: I have one on Margaret that I forgot to ask. Did we have an update on the Navy PEIS hanging in the wind forever? Do we have any idea when that's going to come up?

MS. GOODRO: It's hanging in the winds in the...
Washington Navy level. And I sent you an e-mail on that.

MEMBER GROSSGLASS: You answered my question. That's fine.

CHAIRMAN BANIS: Thank you. I would like to move now to the public comments on the field manager and other reports. I'm calling to the microphone John Dalgleish.

MR. DALGLEISH: Mine are for Roxie and her staff. I'm John Dalgleish. I'm a board member of Friends of Dumont Dunes. I also sit on the Dumont Dunes subgroup with Randy and Ed. On the 12th, we held our 9th annual cleanup. I just want to send appreciation to Roxie and her entire staff for all the help they were.

And also, a special note: In the Christmas/New Year's holiday we had a significant amount of rain come down through our canyon. And the road was washed out. There were reports it was at least five feet deep, the washout. If you want to try to pull a trailer or motor home through that, it doesn't work. And for that kind of vehicle, that's the only access to our area. And her staff, I think, went above and beyond by getting that road back open again. And I want to make sure that they get the
thank you. Thank you.

CHAIRMAN BANIS: Thank you, John. Public comments from John Stewart.

MR. STEWART: Good morning, Council members.
John Stewart, California Association of Four-Wheel Drive clubs.

Hector made a comment that I just can't pass it up. He talked about the event, permitted event going on with the sheep being spectators. Does that mean the guy holding the permit is going to have to get spectator insurance for the new spectators?

I know it's a serious topic, and I hate to make light of it, but it's something of great importance when we move forward with this topic later in the agenda.

Right now there is information from the Barstow office about West Mojave route signing. I find it's kind of short and not really informative. And I'm a little bit more curious as to what the progress the Barstow office is making towards the time lines that are within the WEMO settlement on the particular stipulations.

And also, there are several reports that mentioned the Abandoned Mines program. The DAC was provided a brief on the abandoned mines program, I
believe at December of 2009 meeting, and that was
almost a year and a half ago. I think it would be
important to have a full, more in-depth briefing on
what the Abandoned Mines program is doing since it
encompasses multiple field offices, and any activities
there will have a big impact on recreation
opportunities.

And finally, to the El Centro field office, I
am still extremely interested in pursuing the
reopening of Devil's Canyon. I know we had an EA and
some agreements on a potential setup for resolution
prior to the change to the SRP program. But it's
something that I am not going to -- I don't want to
let it go and drop off the map. And it's something
I'm still interested in and seeing how they can't move
forward in the light of working with noncompetitive
and nonspectator events and try to look at ways they
can be conducted. Thank you.

CHAIRMAN BANIS: Thank you, John. Just a
moment. Roxie, would you mind being gracious and
updating what you have on John's question regarding
the WEMO plan of action?

MS. TROST: Roxie Trost, field manager for
the Barstow field office.

On January 28, Judge Illston's court ruled a
remedy brief of items that would be accomplished between now and the West Mojave Plan update. Some of those things -- actually, one of those things is the implementation plan for the West Mojave signing. The order said that BLM would have all of our West Mojave routes signed within 180 days of the order. And that takes us to July 28th.

Monday we'll be submitting the implementation plan to the court, and it will have a detailed schedule of how BLM plans to accomplish that. But basically we have, between Ridgecrest and Barstow, we have identified 14 teams. And in Barstow, we have seven of those teams, and they have been working in the field ever since we received the order from the judge.

CHAIRMAN BANIS: Thank you, Roxie. Meg.

MEMBER GROSSGLASS: Two things. One thing I thought I had heard was that someone had gotten a permit to use Devil's Canyon. Is that true?

MS. GOODRO: So in the El Centro field office for Devil's Canyon we did the EA. BLM staff spent over 200 hours to provide the EA. It's a sensitive habitat, and we do have limitations set by US Fish and Wildlife Service, so it was open for 15 days during the nonbreeding season. So we put an announcement out
on our Web page for applications for SRPs for Devil's Canyon, and we did receive one. It was a small group of five folks in their Jeeps. And we had one monitor, and there were no issues and it went very well.

MEMBER GROSSGLASS: You are done. I'm done with you.

I don't know if anyone knows the amount of work that the Barstow field office did on the WEMO lawsuit. They took the DOJ attorneys around, showed them the supposed damage that the plaintiffs were saying, because the plaintiffs and the CDB wanted to close all the WEMO routes to Green Sticker people. And I know I read what you guys submitted, and you did a great job. And Judge Illston ruled for us. I think we all owe Roxie and Larry and Mickey and everyone at the Barstow field office a round of applause because it really was a great job.

(Applause from the audience.)

MEMBER GROSSGLASS: I'm done with all of you now.

MEMBER ACUNA: Hector, please, certainly.

MR. VILLALOBOS: I just wanted -- Hector Villalobos, field manager for the Ridgecrest field office.

On the issue of the sheep in the same area of
the motorcycle race, we really sat down -- actually, the promoters sat down with me and he says, you know there are going to be sheep in the area. And I'm going to be working with the riders on the course to make sure that they are aware that there is going to be sheep in the area. And so we talked about it, and we know what segments of the course where the sheep might be in around that time during the weekend. This is the level of review we are doing, not just for the safety of the rider -- well, it's for the safety of the rider. You have hundreds of sheep out there. But from what I heard, as soon as the first guy goes through the course, those sheep are going to go someplace else. So they probably won't be watching the race.

And the other way around, it becomes almost a spectator from the other side because we have a lot of participants. One year I observed we were having an event at Spangler. And a lot of participants went over to the sheep and they were looking at the sheep being rounded up and being hauled off. And there was a bunch of people watching the sheep. So anyway, that's the way it goes.

MEMBER RUDNICK: Hector, I'm sure you will alert the sheep herders that the race is going to
happen so they can move the sheep.

    MR. VILLALOBOS: Yeah, they have been
alerted, so we did both sides. The sheep herders know
the race going on and the motorcyclists will know
there is sheep out there to make sure that it's safe.
The times it's not safe is when they wander onto the
pavement.

    MEMBER RUDNICK: Thank you.

    CHAIRMAN BANIS: I think we have queried on
these reports very well today, and let's move through.

    MR. WALDHEIM: There were some more cards
there.

    CHAIRMAN BANIS: Pardon me. That's my fault.
Ed, you did have a card for this. Ed Waldheim, please.

    MR. WALDHEIM: I always write "all." So
thank you very much for taking this.

    The state director's report on behalf of the
state acting director Jim Abbott. I think we should
have the author written on these things.

    All our new formats. That's cool, good idea.

    However, you have left out OHV funding money.
I demand that OHV funding be on that. I'm not nice
anymore. I'm tired of for five years trying to get
recognition for what we provide the BLM, 37 million in
grants, 31 percent is from the BLM. If you are lucky to get the 11.7 million dollars in the California desert that you have put in, you would be getting 43 percent of the grants. That's no small potatoes. The report states in the bottom, your budget will be lowered in 2011 and 2012, so I feel we should have that in there. It's just being left out. Mr. Villalobos, thank you for him.

And Meg, you mentioned that they put those grants in. They are the only ones that wrote down the grants. He needs to put down the amount, 1.3 million that they have asked for, which is very, very important.

I also want to say I feel remiss and slighted that the BLM office -- the Ridgecrest BLM office was not given the coup de gras for the work they were doing on the West Mojave. They also took people out. I was with the attorneys who came out there. They showcased our area, and we were a big part of what happened with the WEMO outcome.

Not only Barstow. Ridgecrest needs to get full recognition for that. So I'm upset about that.

Friends of Jawbone. Nothing was said about Friends of Jawbone. We in the last two years have collected close to 2 million dollars of money from the
Green Sticker to help. We were not just a volunteer; we are a big part of it. This year we put 926 million dollars worth of grants into the Ridgecrest BLM office.

The Barstow office, I have to have some clarification. In the sheet Status, "Phase two will begin signing those routes without markings." Without markings? That makes absolutely no sense. So that's something we have to figure out. Read the paragraph, the status. It doesn't make any sense whatsoever.

My understanding, we are going to sign 5,000 miles of trails. We are going to put markings on there just to put a padlock on there?

Also in the Barstow report, they failed to write down anything about OHV. They put in 1.58 million dollars worth of grants from the OHV. The Friends of El Mirage put in 316,000 dollars. The Friends of El Mirage is doing pretty much everything except ground operations. We're not doing that. Larry is taking care of that. But we do the signing, fence reports, rest room cleaning, we do the visitors service in there.

Likewise in Jawbone, we are pretty much doing everything to help Edgar and their staff between trail maintenance, restoration work, tractor work with the
rain that came down really hard. We are out there with two pieces of equipment. We had staff fix it so everything is really under control in that area.

CHAIRMAN BANIS: Thank you, Ed. We are over time. Thank you, though. I'm sorry.

MEMBER GROSSGLASS: I want to say I'm sorry to Ridgecrest field office (unintelligible).

DIRECTOR RAML: I will address -- I think I can address most of the issues that Ed raised. One, yes, I hear you on the grants. We rely heavily on the grants. We will do better to highlight that effort and also to recognize our partner with the State Parks.

Second of all, WEMO, when something as large as WEMO comes, there are a lot of people that deserve recognition. I think we are right to call out Roxie and her team and Hector and his team and Needles has a piece of it. Al Stein made a declaration. I will thank as a district manager every BLM employee who put energy into WEMO the subsequent work on the remedy, and the subsequent work we are going to do on the big fix, which is our way to say replanting part of it.

Lastly, on that paragraph it was just a matter of the inflexion. It is to sign those "routes without marking." Not to "sign them, without
markings." The English language can be a tricky beast sometimes. So they are going to sign those areas where there are no markings. Did I get that right? Okay. Cool.

CHAIRMAN BANIS: Thank you, Ed, for bringing those up. And thanks, Teri, for recognizing those comments.

MEMBER RUDNICK: Can I make a comment on Ed's comments?

CHAIRMAN BANIS: You may.

MEMBER RUDNICK: I would like to thank Ed and the Friends of Jawbone. They have a job that is almost impossible to do. And over the last quite a few years now, I don't know how long you have been formed, but the Friends of Jawbone do help with the trails and the maintenance and things that complement what the BLM does out there. And Jawbone, Dove Springs, farther north the Robber's Roost, and all through there, Kelso Valley, and Kelso Creek, all those areas are looked after by Friends of Jawbone, along with the BLM. And they do a fantastic job. Thank you very much.

MR. WALDHEIM: Thank you, Richard.

CHAIRMAN BANIS: Thank you. Now, that would conclude this segment of the public comment. We have
had a lot of new arrivals to the meeting for the upcoming agenda items.

There are public comment periods noted on the agenda. If you wish to participate on those, I ask you please to submit a speaker card. It helps me keep track of things and will help us keep on schedule and make sure everybody gets a shot at the microphone. Thank you. Speaker cards are on the back table. And if you could bring the speaker cards to Steve, who is waving his hand, Steve will take those cards and run them up to me.

The next item on the agenda is the DAC's role to advise the BLM on renewable energy. Teri, would you like to help with this?

DIRECTOR RAML: Randy and I are figuring out our tag team approach to this. I will lead in and then Randy, just tap me on the shoulder.

I mentioned earlier when we were talking about the four themes, the renewable energy themes -- this is the discussion point for this particular meeting on renewable energy. And as we talked about -- and as you noticed in the field manager reports, as you also will note back on the back table, and that will cue me to talk about the back table in a minute, there is a lot of documentation available
about renewable energy projects, the status of the environmental impact process. So there is a lot of written information out there. There is also a lot -- and we work very hard, and the public affairs team, we are going to -- I'm going to improve our thanks to Steve, Dave, who work very hard to keep our Web site up to date.

I can thank Randy and DAC members for their comments and encouragement to continue to make the information available on renewable energy projects easier to comprehend. So we continue to improve the quality of our Web page. So part of this is, to set the context of this, we are shifting the DAC focus from spending a lot of time on specific renewable energy projects. We will try to continue to highlight dates, try to continue to highlight places where information is available, but we are going to try to change our focus to both the bigger, more landscape level approach, whether it's the Desert Renewable Energy Conservation Planning effort or there is a little bit of time left on the solar programmatic EIS that's being prepared by BLM with the Department of Energy. So that's really going to be kind of where we spend our time as a DAC. Let me continue to emphasize with continued encouragement to interact with the
other processes available for input.

So we talked about -- but because renewable energy is so important from almost any consideration, the importance as you heard earlier to the economic development of areas, important to provide energy, important in terms of its impact on public lands and how people would like to have it on private lands, we are going to continue to have an update item on renewable energy.

What we are also going to try to do is continue to -- I'm going to seek advice from the DAC at this forum in little bit, and also continue to seek advice how the BLM can be more effective in providing input to these bigger projects and continue to be more effective in highlighting BLM's approach to project level planning and our engagement of the public. And particularly also to highlight when we have some new policies that either change or increase public opportunity to get engaged.

CHAIRMAN BANIS: We have a DAC subcommittee to work and study on the renewable energy issues. That included Meg, April, Dinah, Tom Acuna, Lloyd, Alex and myself. We met a few times on this issue. And just briefly, I think we realized at some point that the real driving force here in the big picture
long run was the Draft Renewable Energy Conservation
Plan, DRECP, that's under development by the State of
California and the federal government.

And we thought that a good opportunity for
this subcommittee to essentially debrief and wrap
itself up in some regard would be perhaps at this
May -- at some point during the May two-day session of
the DRECP and wanted to check our calendars for a
minute and see if that might be all right. Dinah, do
you have a comment on that?

MEMBER SHUMWAY: That would work for me.
That's the 11th and 12th. That would work for me.
Give some of us the opportunity to go to the DRECP
meeting.

CHAIRMAN BANIS: Perhaps we can work with the
director and try to get a heads up on the agenda so
that we can come up with a little more time certain to
help us in case Dinah or other's schedules fill up so
that we can pinpoint that time.

Are there any other comments regarding the
DAC's role in renewable energy?

MEMBER SALL: I would just like to remind the
public of the Programmatic EIS comment period
ending -- someone from BLM help me out. I think April
16. Is that the extension? Yes? So public comments
are due on the Programmatic EIS for the solar
Programmatic EIS for the desert, for California, and
the western states on April 16.

CHAIRMAN BANIS: Lloyd.

MEMBER GUNN: I had a comment on renewable
energy. The mission, as I understand it anyway, of
the California Desert District of the BLM is to
protect the natural, historic, recreational and
economic riches of the California desert for
generations to come.

How does renewable energy fit into these
goals? In February BLM held public hearings
concerning future industrial solar development on our
public lands. The message was clear. The more
effective process for responsbly siting large-scale
industrial solar projects on public lands is needed to
avoid harming wildlife and the environment. There are
many places large enough to generate vast amounts of
energy in the desert without sacrificing wildlife,
wildland, sacred Indian cultural sites, and our
treasured desert landscapes.

While renewable energy in itself is good for
the environment, I don't think we need to destroy the
environment in order to save it.

CHAIRMAN BANIS: Thank you, Lloyd. Brad.
MR. MITZELFELT: Where is the DRECP in session in May?

DIRECTOR RAML: Ontario Convention Center.

MR. MITZELFELT: Is it too late for me to join that subcommittee?

CHAIRMAN BANIS: It's a stakeholder group. Oh, for our subcommittee?

MEMBER MITZELFELT: The county is already on the DRECP.

CHAIRMAN BANIS: Oh, my mistake. I don't think that would be a problem. No.

MR. MITZELFELT: I will fill out this application here.

CHAIRMAN BANIS: Subcommittee. We would be pleased to have you join us.

MR. MITZELFELT: And does it run all of those days?

CHAIRMAN BANIS: It's going to be a two-day meeting. Usually it's only on one day. That's why I asked if Teri would check with the director to see what the schedule is looking like.

MR. MITZELFELT: So I can get input on my availability.

CHAIRMAN BANIS: We would like that.

MEMBER SHUMWAY: You know what I'm going to
say. We discussed this at length at our meeting yesterday. I assume the transcript will be available at some time in the future. And I will continue to beat this live horse.

I respectfully disagree with Teri's assessment that everybody regards this as beneficial to the economic development because these renewable projects, I would submit, are not really economic. They are not economic without some unwilling taxpayer support, grant support, loan guarantees. So I don't consider that economic in any -- in any economic world that I deal with. So I would submit that making energy, two, three, four times as expensive is not viable economic development.

MEMBER MITZELFELT: If this is the time to talk about the policy questions, I will be very brief in just stating that the biggest policy question I will be addressing and looking for the PEIS and the DRECP to address -- there is a perception that -- or an opinion that the amount of lands that will be disturbed, BLM lands that are being proposed to be disturbed by these projects is a small percentage.

But as far as the county is concerned, the number we really have our eye on is the mitigation land. It's private property that will be required at
3 to 1 mitigation ratio. There is not enough of it to go around for all these projects. And that's where our eye is and that's where the Fish and Game had signalled that it recognizes that issue.

But now we have a new administration, and I think it remains to be seen how they want to settle it. But we are going to have -- we have our work cut out with Fish and Game regarding the sustainability of the mitigation ratios they have been requiring.

CHAIRMAN BANIS: April.

MEMBER SALL: Just to follow up on that comment, I think I share your concerns, Brad, about the mitigation ratios and the burdens that the counties would take on if significant renewable energy was developed on our federal lands. And I know that the new administration is proposing 2,000 megawatts of rooftop solar, so that will be interesting to see how that factors into the overall goals for the state.

And also, I would just like to, on that note, I guess, express my concern for an assumption that is listed in the PEIS for solar that states that, I believe, 75 percent of all renewable energy development, solar development will be on public lands. So that speaks to that issue, and I think that's a flawed assumption. And I think many of us
would like to see this directed on private lands so
that this does not affect our public lands both from
an environmental and recreation standpoint. So that's
a statement that we will be addressing at the PEIS
comments.

CHAIRMAN BANIS: If there are no other
comments, I would like a bite of this apple.

I attended a solar PEIS public meeting, and
the solar PEIS, being an environmental assessment
document, studies and analyzes the various impacts of
these solar energy zones and areas that are being
proposed. It studies them for significant impacts.

Among the issues studied, of course, are
impacts to water, impacts to air quality, impacts to
sensitive habitats, cultural resources, but they were
also studying the impacts to recreation. I understand
that this is a document of approximately, I think,
13,000 (sic) pages. I would like to engage those who
are interested in recreational opportunities to look
at this document, but not all 1300 pages, if your
focus is on recreation. It's very easy, fortunately.
This document is broken out into a brief executive
summary, and then each of the states -- because this
is an eight-state plan -- each of the states is broken
out into its own large section.

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So I would urge you to look at the executive summary to see what the three options that are being presented are, and then look at the California section and look in the analysis of recreation. What you will find is a study on the impacts to recreation of the solar energy sites themselves, just the sites.

To follow up on what Brad and April and others have said, what is not analyzed and missing from that study are the potential loss of recreational activities on what is referred to as compensatory and acquisition lands.

At the hearing, I brought this up and was -- and learned that I was one of the first to raise that issue. And those hearing my concerns understood fully what my point was. And in their words, recreation may be subject to a double whammy, a double hit. And at this time, which is really fortunate for us, this DAC meeting is occurring at a time in which the public comments are open and due on this large-scale planning process.

And so I urge you all, if you are looking to preserve your recreational activities on public lands, look not only at the -- merely the sites that are proposed for disruption, but to consider the potential loss of uses for recreation that would result from the
setting aside of potentially vast tracts of lands to mitigate for these projects.

So again, I urge you all to participate and please comment on this proposal. This is very important, and it is going to be an overarching guiding document for the entire renewable energy development issue as we move forward. This is going to be a pillar of what we are going see in the future.

Thank you.

MEMBER JOHNSTON: Do you have a Web site address for everyone here?

CHAIRMAN BANIS: I believe it's solar PEIS -- if you just Google solar PEIS, and the first one that comes up is the official federal government Website, and the documents are split up into their separate chapters, easy to download and look at.

Thank you for that obvious good suggestion. From a tech guy, I --

MEMBER SHUMWAY: Randy, we had -- at our meeting yesterday we had resolved in the public comment section to make sure that the public knows that the comments they make here at our meeting are considered by the DAC in all cases. However, that's not enough. You must go as part of the NEPA process and file your comments with the proper agencies.
CHAIRMAN BANIS: Given that obvious segueway, are there any objections to moving on public comment? The agenda at this time calls for public comment on possible action on the DAC's role on renewable energy. And I urge speakers to please, if you can, focus on that to help us as we continue to evolve and evaluate our role on this very large and important item.

I'm going to call speakers in the order of John Stewart, Marie Brachear and Ed Waldheim.

MR. STEWART: John Stewart, California Association of Four-Wheel Drive clubs.

Teri, you had mentioned that you were looking at more of a landscape level approach to your planning. And with respect to the energy issues and the WEMO plan and all of these things coming up, and considering that you are looking at landscape level, I would like to request that the data layers from the GIS data that you will be receiving or looking at or using be made available to the public so that the public can also look at the same data. And that would help -- I know you will use them internally with the BLM in order to conduct your planning, but also having that information available to the public would also help in the public's understanding and realizing the scope and level of the different competing interests.
as they come through. Thank you.

CHAIRMAN BANIS: Thank you, John. Speakers Marie Brasheer, followed by Ed Waldheim, followed by Gerry Hillier.

MS. BRASHEER: On your proposed way of handling it, I'm not sure that landscaping is the way to go, at least as I understand landscaping. It doesn't mean that we will be provided with an opportunity at a DAC meeting to look at the specifics of specific projects. It means that we are going to sort of look at the general policy and the general overall -- you know, we have 27 projects over here and 15 over here, but not the specifics of the 27 or the 15. I personally do not think that's the way to go.

The next issue is one concerning the PEIS. And I think the DAC probably should go on record and should probably submit comments for itself. And one of the areas that I am concerned with is that as I understand FLPMA, if you withdraw from mineral entry anything over 5,000 acres -- and many of these projects are over 5,000 acres -- and many of the blobs on the maps in the PEIS is over 5,000 acres, there must be congressional action and there must be a minerals report, none of which is being talked about anywhere. It's within the PEIS, it's hidden in there,
but it's in there that these withdrawals will occur.

And I think maybe if the DAC, if that was one of the issues the DAC called to the attention of the good folks doing the PEIS and maybe even our regional managers -- there was a 6,000 acre withdrawal proposed for the solar plant down in El Centro. That's over 5,000 acres. Has there been a minerals report? Is it being submitted to Congress for withdrawal for mineral entry for the time and the duration of that solar project? I doubt it. It's something that should happen. It's part of the law. It's part of an act put in place by Congress. And I don't think we, as the California Desert Conservation Area, can turn our back on those kinds of issues.

CHAIRMAN BANIS: Thank you, Marie. Meg, comments.

MEMBER GROSSGLASS: I have more of a question of BLM. Those solar PEIS areas, are they withdrawals or just changing the land use classification so that kind of use will be allowed on those lands? Can someone give us an answer to that? Al, I'm sure. Sorry, Al, but I know you know this.

MR. STEIN: Alan Stein, chief of resources, BLM Desert District office.

Those areas are currently segregated, which
means that nothing can happen on them. No applications can be filed on them, no mining claims or anything.

At the end of the process when those solar energy study areas in the Draft EIS are decided upon and saying this will be a solar energy zone, essentially the decision that's being made is that we are devoting those lands to development of solar energy. To be honest, I will have to check, but I think the intent is that they would be withdrawn then because we are emphasizing solar energy development there, but I don't know for sure.

MEMBER GROSSGLASS: Is it an Engle Act withdrawal, like what is happening with the military withdrawal?

MEMBER STEIN: The Engle Act is purely military. Withdrawal from mineral entry is something we can do for small parcels of lands, but Marie is right. For 5,000 acres and above, it has to go to Congress. It's not just something a manager can do.

MEMBER GROSSGLASS: Does that mean the solar PEIS has to go through Congress?

MR. STEIN: The PEIS doesn't, but the withdrawal does.

MEMBER SHUMWAY: I don't know if this is a
question or a comment. But in the mission of multiple use for these things, the solar plants are going to be permitted for a certain limited time?

MR. STEIN: That's correct.

MEMBER SHUMWAY: And if, let's just say, a company becomes insolvent and they can't continue to operate, they either could sell it to a company that could operate it, or under the reclamation plans, everything would be removed and the land would be reclaimed to some similar, as to mining, compatible use?

MEMBER STEIN: That's correct. It would be a plan for reclamation, revegetation. It would then be -- there is money through our bonding policy to do that if the company can't do it themselves.

MEMBER SHUMWAY: So in that case, it's very similar to what we have to practice in the mining industry to operate any mine, public or private?

MR. STEIN: Yes.

MEMBER SHUMWAY: So in that case, an additional use could be considered by the manager of the land if it was reclaimed. It could be mined if it had mineral value on it. So it's not necessarily like a wilderness area where mineral withdrawal is more or less regarded as permanent?
MEMBER STEIN: That's correct. For a project site. But we are talking about a different kind of decision being made for the solar energy zones.

MEMBER SHUMWAY: So we don't know what's going to happen right now?

MR. STEIN: I don't know for sure. We, collectively, as a federal government may know. But I haven't read through the EIS to tell you exactly what is going to come in. But essentially recognize what we said when we started the process was that the establishment of the solar energy zones would be a plan amendment. And I do believe that it will be withdrawn at the same time.

MEMBER SHUMWAY: Withdrawn from permanent mineral entry, as Marie indicates?

MR. STEIN: I believe so. That's the intent of the segregation is to segregate the lands and say nothing can be done on this while we are going through the PEIS process so that we are not prejudicing the decision, something is not happening out there that may prejudice the decision.

MEMBER SHUMWAY: Just for clarification, I understand that process going forward on a project. If I had a mining project, I wouldn't want someone else to come in and propose a mining project for that
area while I'm in a permitting stage. However, I'm simply trying to find out or to point out that under the mission of multiple use, if the solar -- if a solar plant was gone and the land was reclaimed, then it would not prohibit later mining, assuming that there was a resource there?

MR. STEIN: No, it would not.

MEMBER SHUMWAY: That was my question. Thank you.

CHAIRMAN BANIS: Next is Ed Waldheim, followed by Gerry Hillier.

MR. WALDHEIM: I want to thank Dave Beaumont who is sitting over there who hit me over the head finally about the DRECP happening. I didn't pay much attention to him on that, but thank God he finally woke me up and with the Supervisor Zack Scrivner and Assemblywoman Jean Fuller, we were able to get a seat at the table which prior to that point we were not at that table. Two meetings we lost.

It was mind-boggling to see what is coming out of that group and then to see the PEIS coming out of that group. But we are in danger of losing our recreational lands, and it's very simply this: When you look at the map that Beaumont kept sending to me, they have these beautiful blue areas. What is the
blue areas? It's areas of opportunity. They described it in the DRECP. And I said, "Holy Toledo, it's all of the Kern County area." May not get solar or wind farm, but they are going to take the land for mitigation.

Then I go to the PEIS, and at the meeting in Barstow, we find out -- until Mr. Banis brought it up, I didn't even consider where the mitigation land came from. So you at the DAC, if you have strong feelings, you should really collectively make your input on this big issue because as Mr. Banis has said, that's an 800-pound gorilla that nobody is talking about, and you are talking about our recreation lands for motorized and nonmotorized that we could possibly totally lose just by slipping it in.

CHAIRMAN BANIS: Thank you, Ed. Tom.

MEMBER ACUNA: Just a quick comment. On the DRECP, we sent a letter to Dave Harlowe requesting that we have a seat at the table, but we were denied. So I just wanted to let you know there was an effort at our end. Thank you.

MR. WALDHEIM: Appreciate that. Thank you.

CHAIRMAN BANIS: Hi, Gerry the floor is yours.

MR. HILLIER: I have my San Bernardino County
consultant hat on now, so I kind of bounce back and forth between both roles. This is going to sound like a site-specific question, but it isn't. It's a process question.

In looking at the solar PEIS within San Bernardino County, I noticed that the Iron Mountain area in the southern boundary of the county is an identified solar development area.

Two days ago I was at a -- had the privilege of sitting in on a Desert Managers Group meeting and was briefed by Scott Flint of the Energy Commission who is running the DRECP process. And Scott identified that their process has raised questions in terms of biological values in the Iron Mountain area in which they are likely to come up with a different recommendation for Iron Mountain and perhaps take it off the table.

I'm familiar with the area, and I know that it's a sensitive area from an historic standpoint because one of the Patton training divisional camps was located in that area close to the MWD station. That said, I'm not sure of the extreme biological values there. There may be some tortoises there, but I know it's outside of the critical habitat.

The point of my question here is, Has the DAC
addressed how they are going to input BLM in terms of
the various processes? How are differences between
the states' DRECP, in which that is under the
direction of the CEC, and whether BLM is a participant
there or not, the decision maker and the Programmatic
DEIS that's being done on solar, if it has a different
recommendation, how are those differences going to be
resolved? And is the DAC going to play a role or
should they play a role on resolving those
differences? I really believe that they probably do
need to weigh in and at least at some point provide
some input into the process.

I had a couple of other things there, but I
think everybody has addressed the issues relative to
the compensation and reimbursement. It's a desert-
wide issue, but this process question I think is
important.

CHAIRMAN BANIS: Thank you, Gerry.

May I take a shot at responding to the over-
arching theme of our speakers, and which actually is
the crux of the question that we wrestled with
yesterday for maybe as much as 30 minutes, is to how
we involve ourselves in that particular process.

We discussed how the DAC could play a role or
whether the DAC could formulate a comment on its own,
a collective comment into the NEPA process. And there
are two things that were -- that we struggled with
that kind of put up a little roadblock for us.

One was our charter, again, calls for us to
advise and focus our comments through the Desert
District manager. And the second stumbling block was
that the DAC -- that we felt that there would be
inadequate time for us to arrive at a consensus on
this issue. And that in order for us to express the
sentiments of the full DAC, to have a split vote would
not do the DAC's business, essentially. There is no
opportunity for a minority opinion in a NEPA response.

And we struggled with this, and we have come
to -- we have come to unanimous consent on questions
regarding renewable energy before. Approximately
three years ago, Ed worked with Geary Hund and with
Dinah to develop a letter regarding the DAC's position
on this issue, and that letter is still, I think, very
relevant. It doesn't really change. These issues
flow right into that letter. But nonetheless, that
letter didn't come without significant struggle, and
it took quite some time. It took a period of a full
three-month period to be able to construct that so we
could have unanimity.

And given the aggressive deadline, even
though we were fortunate to have an extension in the comment period for the PEIS, I believe, if I'm speaking correctly for everyone, we kind of reached a head-shaking consensus -- and that's shaking our head not yes, not no, shaking our head more like this (indicating) that we didn't feel we had enough time for us to do that. And I may be wrong in summing that up, but I'm happy to hear others' viewpoints on how they saw that discussion going.

April.

MEMBER SALL: Yeah, I think you are correct in that discussion yesterday. The only thing that came to mind as you were speaking is would we be interested in entertaining the idea of resubmitting a newly updated version of that letter, since it had consensus?

MEMBER SHUMWAY: Mr. Chairman, wow, three years ago, I hardly remember what we said. I do recollect that I thought it was pretty weird that Geary and I would be on the same page about anything. But it just goes to show you that even if we all have diverse experience and attitudes about these things, that we did arrive at somewhat of a consensus on that issue.

So, yeah, I do agree with April. Maybe we
should look at that letter again, see what needs to be changed, and see if we can arrive at consensus, submit it to our manager, and see if it can go under the DAC letterhead. I don't know if we have a letterhead. But maybe that would be some way to proceed.

But to follow up with what Randy said, that might be the only time we would ever actually have a consensus on an issue, but that's precisely what the strength of the DAC is. We all bring advice to the manager based on our own experiences, and I think that is what Teri really needs. She doesn't need everybody speaking in one voice; she needs everybody's attitude to make a viable decision that's going to affect all of the desert owners. I think with that said, I think maybe we should follow up on April's suggestion.

CHAIRMAN BANIS: I have a copy of that, but not with me. But it's right on my desktop for quick and occasional read.

MEMBER SHUMWAY: It's not on your iPad?

CHAIRMAN BANIS: It's the one document that didn't make it to my iPad yet.

MR. RAZO: I might have it.

CHAIRMAN BANIS: Maybe we could have a look at it at some point, and then it will be on my iPad.
Pardon me. I have been told by the front desk that we
did have another comment card submitted in time for
public comment on this issue, and I overlooked.

Kim Campbell, there you are. Kim, thank you.
I apologize for overlooking your card.

MS. CAMPBELL: Kim Campbell, rockhound activist.

I want to commend the DAC and Randy, to you
in particular, for bringing this to our attention
because I don't think -- I don't know anybody that has
really been looking at all the litigation land in
addition to the land set aside for the energy
projects. So I will make sure that the America
Federation of Mineralogical Societies and the American
Land Access Association are aware of it, and hopefully
they will comment on it also. And I hope all the
recreation groups out there will do the same. But I
wanted to express my great appreciation for the
information.

CHAIRMAN BANIS: Thank you, Kim.

Are there further comments or any motions
relative to this -- I would be happy to entertain them
at this time.

MEMBER ACUNA: The comment was our charter
with regard to the larger scale land use plans, DRECP,
PEIS. That's not our charter to advise through the
NEPA process. But we as the DAC -- and maybe this is our little renewable subcommittee -- we might be able to provide Teri some opinions about those plans. That might be helpful, so we might be able to take care of some of these points mentioned by those in the audience and still do some service to you. That's all.

CHAIRMAN BANIS: Any other comments? With that point, would it be the -- we are only -- we are only 15 minutes ahead of schedule, if that. I don't think we want to move into the next agenda item yet. It would be sad to break that up just as we get rolling. So perhaps we should break for lunch at this time while we have no -- I have no motions, no action.

MS. SALL: Should we make that a motion?

CHAIRMAN BANIS: Would you care to --

MS. SALL: I will make a motion to recirculate the letter and have an e-mail vote, I guess, if we should resubmit or take any further action for PEIS comments.

MEMBER SHUMWAY: I will second that.

CHAIRMAN BANIS: Are there any objections to that action? Hearing and seeing none, it will be done. Steve, you have a copy of that?

MR. RAZO: I believe so.
CHAIRMAN BANIS: Is there a way to get that up on the screen and look at it?

MR. RAZO: Was it the -- April, do you want to see it? Or do you want to just make copies? I can get copies made.

CHAIRMAN BANIS: Why don't we do that. We can have copies made and circulate it after lunch for everybody to review.

Just one moment, please.

Let's adjourn until 1 p.m. Is that all right? We are going to adjourn and we will resume again at 1 o'clock. Thank you, everybody.

(Lunch recess from 11:43 a.m. to 1:09 p.m.)

CHAIRMAN BANIS: Thank you, everybody for coming back from lunch. Nice turnout here today. I would like to thank everyone for taking their time to join us. I know that there are millions of acres of public land that you would rather be out recreating on today, and it's beautiful weather for being out there. And I appreciate your sacrifice and your time to come and join us and talk about this important issue.

My name is Randy Banis. I'm the chair of the DAC. And we will begin today's agenda -- this afternoon's agenda with the Desert Advisory Council Ad Hoc Task Force on the recreation permit process and a
proposed SRP special recreation permit subcommittee.

If there are no objections from the table, I would be
grateful if Meg Grossglass would begin this agenda
item, please. Thank you.

MEMBER GROSSGLASS: I really hate microphones
and most of you know, I don't need one. So I will do
the best I can.

As most of you are aware, there was an
unfortunate incident over the summer that required the
BLM to kind of look at the way -- the practices they
were using to give out special recreation permits. So
as a result, they are now adhering strictly to their
regulations, and that has caused some measure of
discomfort in the OHV community and for the BLM staff
also.

So as a result, they put out some documents
that were procedures that they were going to follow
and some new documents. And then we asked for public
comment. As a result, we got 16 e-mail and written
comments back.

The SRP task force, that Roxie Trost in the
Barstow field office is in charge of, got them, and
she will be addressing what they are doing with those
comments after my report.

What the DAC has decided to do or what --
kind of our little ad hoc SRP -- it's kind of an informal group that we formed quickly to address this issue. We have decided that we would like to form an official DAC subgroup to deal with the ongoing issues. All of us were hopeful that once the report came out and that every issue had been addressed, we could all move forward. But we are all learning that the BLM doesn't necessarily know what the event people do. And the event people don't know what the BLM should do. So this is our first year of marriage and we are all getting to know each other.

And things are changing more than any of us would like. So to address that concern, we are going to -- I'm going to recommend to the rest of the group and hopefully they will oblige, that we are going to create a DAC subgroup that will include -- let me get to the right sheet. The mission of this subgroup will be to identify operational issues and the application of required SRP procedures, provide comments about current and proposed actions by the BLM's internal SRP task force -- that's the one you are going to hear about from Roxie Trost after I'm done -- and to aid the BLM in accurately communicating SRP procedures for interested parties.

One of the things that you are aware of is
that communication has been so difficult since things are changing so quickly. It's a very dynamic environment, and I think having this subgroup will be one way to fix that.

The other changes that we have requested from the BLM is to set up a list serve so when things are officially changed, that an e-mail will automatically go out to the people that have -- what is the word I'm looking for -- when you apply for this, when you sign up for this list serve, so you don't have to be a stakeholder. You could be Joe Q. Public and sign up to the list serve and get information about changes and things that the BLM subgroup think that are important that are happening with SRP procedures.

The other thing suggested to the BLM and they are taking on as an item is to have "frequently asked questions" about SRPs on their CDD Web site. Becky? Is it going to be on the CDD Web site? Yes.

So sometimes rumors get started and they were not always factual and there is really no place for users to go and easily to look at those. And so one of the suggestions was, let's have a frequently asked questions page about SRP permits.

So those are the issues that the DAC forwarded to the BLM, and they are taking under
advisement and we are going to do. So I want to give you a little bit more information about the subgroup.

This is going to be an official DAC subgroup, and it will have seven members. One person from the DAC will be a member, and then there will be six people that can apply. And I believe there are nomination papers on the back table. They are on the back table and with Jennifer. And the expertise and interest needed to be nominated and to be placed on this committee are that you need to be an event permittee or participant familiar with planning and permitting and implementing SRP events. And we are going to try to have a fairly balanced -- we want representatives from 4-wheel drive, dual sport, equestrian and all kinds of people that get SRP permits.

So we really want this to be people that are knowledgeable about the subject, because one of the things that we heard from the group that commented on the BLM's new or advised or whatever SRP procedures was that they were a little nervous that the DAC was going to be doing that when members of the DAC, probably besides me, don't know much about SRP permits. So we wanted people on this subgroup that knew what the problems were, what worked, what didn't
work, to work hand-in-hand with the SRP task force to work out all of these issues.

They were going to -- we are going to fast track the application process. We are going to try to get it done in 45 days. So you turn in your nomination forms, and we are going to try to get this process done and this group up and running within 45 days. We will have four to six meetings, and we did agree they were going to be open to the public; correct? And it was important to me that these meetings were open to the public so that even if your club did not get on -- wasn't on the official membership, you can always show up to the meetings and give us your input.

We really want this to be a place where the SRP permittees and spectators and participants had a chance for their voice to be heard. This is going to be a very challenging process for all of us. Many things have changed, people are very passionate about it, and the DAC wants to make sure that the BLM hears all of your concerns.

It doesn't mean they will always be able to address that and work on that. But I think through this process, they can at least tell us, we know this is your concern and we can't do it because of this or
that concern needs to go up to Washington, DC. So we have experts talking to the BLM, and the public has time to give us their input too. Because essentially, I can't take up all of our time at the DAC meeting on this specific one subject, but it's very important to a huge amount of the users out there.

And I think I actually did it. I think I can turn it over to Roxie now; yes?

MS. TROST: Good afternoon, Council and members of the public. Roxie Trost, field manager for the Barstow field office.

BLM has a long history of being an agency of choice by groups, individuals, and organizations. Event organizers have been part of that history. And to borrow Randy's analogy, some of us are sedans and some of us are Land Rovers. No matter what you are, you have a special place on your public land.

BLM is proud of our multiple use mission, and that's what makes us unique. BLM is and has been and will continue to be a place that promotes that diversity, and I think that's evident by the actions of the agency post the tragedy at Johnson Valley.

Some of the things that happened after that tragedy, the following weekend the Invader's race occurred, just as planned. It was a under a
microscope; however, it still occurred.

Teri was our brand-new District Manager. And she stepped up to the plate and gave us the opportunity to change the program and to get us back into compliance. She asked us to form what we called our SRP task group. So before I get into the specific products of that SRP task group, I would like to spend just one minute talking a little bit about some of the most recent things that I have seen come up, and that's insurance.

After the Johnson Valley tragedy, all of our permits were sent through the district office, so there was one set of eyes looking on all permits for all five field offices. What we found was there was a difference in what the certificate of insurance page looked like. And some of them, but not all of them, had the words "excluded" under the medical coverage. So we asked the question, What does that mean? We read our manual, and we went to the CFRs. And when you read the CFR, it clearly says "BLM judges sufficient to protect the public and the United States."

So we still -- we were very uncertain. We contacted a commercial insurance provider and we asked the question, "If our insurance policies have the word
'excluded' for medical, what does that mean to us?"

The answer was that then BLM assumes that liability. And we weren't protecting the interest of the public or the government.

So since then, we also contacted our solicitor's office and asked for a solicitor's opinion. And we had the same response from the solicitor.

I know that it has been a very dynamic process and things have changed. And I think that's why it will be so important for this SRP group, subgroup to form so that they can help us and get information out as soon as we hear about it.

So let me talk now a little bit more about the tools that the SRP group, the products that we actually produced. We produced what we called the staffing matrix, and we had a lot of discussion about that in the comments. And the BLM state director identified BLM's actions, including that a staffing matrix will be the tool used to inform field managers' decisions on BLM staff for monitoring the events. We have been testing it. It worked pretty well, and we have some flexibility in that. And I will talk a little more about that when I get to cost recovery.

But since your comments came through and went
back through the DAC, we have taken another look at that staffing matrix, and the numbering system within the matrix has changed. And we are taking a look at the definitions. Those were some of the comments made by the public.

Under the heading of cost recovery, that was -- that is actually in our regulations. This isn't new. And in the report we found that BLM wasn't implementing cost recovery. We are looking at doing some new things, like bringing on some seasonal employees to reduce the cost, to monitor the SRP events. But I think more importantly, we are working with many of the organizations, and they are helping us in their staffing their events and BLM's role is strictly to be the monitor for that.

I have a couple of really good examples of events that we have had in the Barstow field office, and one of those events is King of the Hammers. We anticipated there could be anywhere between 10 to 15,000 people, spectators at that event, and you can imagine that the Barstow field office in no way would have the appropriate number of staff to be able to staff that sort of event.

Based on the King of the Hammers operating plan, we found that their operating plan included 139
volunteers. Their 139 volunteers were placed in strategic locations. They were rovers. They were road crossings. They did many of the jobs that BLM was looking for. Our job, then, was just to go out and ensure that their stipulations were being met. And we could reduce our number of people in the field significantly. So that is one example.

Another example is we are working closely with District 37, and they have identified two new positions. One is their BLM liaison, and we work directly with that person in the field. If there are any issues, we can notify that person directly and they can make changes in the field.

The other position we are looking at is having a BLM contact to work with the permitting process. And that will reduce the time that BLM spends on the applications significantly. So those are the things that we are looking for with this SRP subgroup and thinking outside the box.

Another change that was made -- and we heard a lot from you -- were the blackout days. We identified as part of our group that there would be five blackout days to coincide with the five holidays that we staff Dumont Dunes and the Imperial Sand Dunes. After we took a closer look at the program, we
felt that we could actually possibly cover an event if it was in proximity to where we already had staff, or if it was a small enough event that it wouldn't have a significant impact on either the sand dunes, Dumont Dunes or the Imperial Sand Dunes. So those are some changes that we made, as well.

Another change was that what was formerly known as the lottery has now been put back into the hands of each field office. So the event organizers can work directly with each field office to decide when their events are. And I think that has streamlined the process, as well.

Some things we are looking at getting some help from the SRP subgroup with would be the 2007 booklet update. There is a lot of old information in that booklet, and I think it needs to be revised. And since that booklet was released and actually just in the last few weeks, a new permit has come out. We think that the SRP subgroup could help us with the Frequently Asked Questions Web site and that you could also help us with some checklists and things that we have been working on for a while.

Another thing we thought of is that there could be the opportunity to develop a list of insurance companies that meet the BLM requirements. I
know there are some out there. Other of our event organizers have been able to find them.

That is really all that I have right now. I really appreciate all of your comments, working through the DAC, and bringing this forward. It's helped us in being able to work through some of the issues. I think it is a very still fluid process, and it's been hard for you. It's been hard for us to get the information out to you as quickly as we would like. And we are working very hard to try to make that a little better, a little easier.

CHAIRMAN BANIS: Thank you, Roxie. Meg, would you like to add something?

MEMBER GROSSGLASS: I was going to add a couple things to Roxie's.

First, I do want to thank you, because my motorcycle club, the Desert Daisies, had a race almost exactly a month after the accident in Johnson Valley and it was stressful. But you guys made it so it could happen. You guys had the option to suspend all races, but you didn't. And the races are still occurring.

And then by the time -- I'm also involved with dual sport, and by the time November rolled around, it was a much better process. And I hope that
continuing to work together through this task force and subgroup, that it will be less and less painful for all of us. And we need to keep an open mind and be willing to work together and communicate. And I appreciate you and all the other field managers that have had patience with us. Appreciate it.

CHAIRMAN BANIS: Are there other comments from the Council at this time? Thank you.

I would like to say a couple of things to all of you who are here. Please don't think that the silence that you are hearing from the other Council members has anything to do with any disinterest. We have talked about this very much yesterday, long and hard. We spent more time on this issue than any of the other issues yesterday. We even talked about bylaw revisions yesterday, and you know what that can do for an organization. This was our biggest topic yesterday. So we are very, very interested in all you have to say. What is important, though, please, is for you all to understand just briefly -- let me tell you what the role of the DAC is.

The role of the DAC per a federal charter says that it is our duty to advise the Desert District manager and to take public comment. The DAC doesn't have the power to change insurance policies. The DAC
does not have the power to issue permits. The DAC
doesn't have the power to change the rules and the
regulations regarding the issuing of the permits.

But we do have the power to engage the public
and to ask for your opinions and to ask what can we do
to help you in communicating with the BLM? And I want
to ask you to keep that in mind when you are
addressing us today. Advise us as the DAC, given that
limitation of our role, what can we do to help you?
Because we want to.

And I can say myself that I have been
privileged to be a part of many of the meetings that
you have all held on this. I have been part of many
of the conference calls you have held on this. I
can't say that I'm the No. 1 expert on this issue by
far. But I have heard from many of you who are
experts on this issue. And I'm your friend on this.

But at the same time, today we have a lot of
people who have things that they want to say, and I
want to make sure that you all have that opportunity.
And that we all have a chance to hear from you.

This issue of a subgroup, please don't take
this lightly. You need to understand that there are
only two other subgroups that exist with the DAC. One
is a subgroup for the Imperial Sand Dunes Recreation
Area, ISDRA, and there is a second subgroup for the
Dumont Dune. And these subgroups have been around for
many years, going on six years or more. And in all
that time, we have no other standing subgroups of this
nature.

So the fact that we are very happy and
pleased to offer a subgroup for this specific issue,
don't take that lightly. That is an important thing
for us. And too, this subgroup, this is your
subgroup. There will be one representative from the
DAC to provide a nexus to the DAC. But this is going
to be your subgroup. It will your ongoing, regularly
meeting, publicly open entity for you to get deep down
in the weeds on this issue. They will explore the
most mundane and detailed parts of this complicated
process, and it will be an iterative process and
adaptive process. And if it works like the other
subgroups, one of which I have had the privilege to
participate in, I think you will see that there will
be a receptiveness and that there will be positive
results, and potentially you will see some change.

But today, I would like to ask for your
cooperation at first. Please address me in your
comments as the chairman of the DAC. This is not an
opportunity to necessarily rale on the BLM. But it's
an opportunity to role on the DAC. But please, just
do so through me and all of your comments are being
recorded by a stenographer. This is going to be part
of the public record: From here to digital
perpetuity.

Also, many of you are part of organizations
and groups that have leaders that you have elected and
who have worked very hard on your behalf for several
months on this process. And I encourage you to
support your leadership, and if possible, defer to
your leadership to present your comments. This isn't
a vote. There is no majority-rules-thing here. And
as much as we want to know that there is support for
the comments being said today, too many "me too's" up
at the microphone won't help us hear diversity and new
perspectives.

So please, again, let your leadership do as
much as they can. But if they are not covering the
bases and things they were not able to get to or if
there is something perhaps maybe you disagree with, we
would be more than happy to hear that comment.

Also, this may not sound terribly fulfilling,
because many of you have come a long way to be here.
But at the front table we have yellow pieces of paper
and plenty of pens. And over the course of this
discussion, if you find that you think it would be just as helpful for you to jot down your comments and leave it with us, they will be put into the record and we will see those. We will hear those. I will ensure that we do. Okay?

Lastly, I have nearly 30 comment cards, and that's a lot of people and a lot of comments. But I will do my best to give everybody a turn at the wheel. And so in order to do so, it saddens me, but I need to move from a three-minute to a two-minute comment period. It's the only way we can give everybody a chance at the mike. If you go over, it means somebody else isn't going to have something to say.

I know I've thrown a wrench because they only have a three-minute timer. One of us is going to have to figure out -- it must be an iPad person -- we are going to figure out and get that at two minutes. But in the meantime, I'm going to be keeping a clock until they get that set. But I ask you to please do your best to make sure you don't take other people's times.

MEMBER GROSSGLASS: I fixed it. That's the only thing I will fix today.

CHAIRMAN BANIS: I believe it's a cricket chirp. If you hear a cricket chirp, that's not somebody's phone going off. That does mean your two
minutes is up, and you have a chance to finish your sentence and your thought. This is my first day on the job, folks. Welcome to the job, and I will do the best that I can for you all.

I first want to -- before I take comments, I am going to turn the floor to Dinah.

MEMBER SHUMWAY: The DAC is a Council resolved to attempt to avoid using acronyms without first telling what they are. I'm not an off-road person, and if you could just identify your acronym before you use it, that would be really helpful.

CHAIRMAN BANIS: I have a written comment, just like to let everybody know and for the record, and this will be inserted into the record from Mr. Dave Bolles. Thank you, Dave, for your comment. I had a chance to glance through while we were getting settled, and I will make sure that everybody has this and sees this.

And I'm calling these names in actually no particular order. But there may be from time to time I may ask for a show of hands if people are associated with these leaderships and if they are all in support of these comments.

I'm going to actually call first Rob Niemela from AMA, District 38. And forgive me if I
mispronounced your last name.

MR. NIEMELA: You did pronounce it correctly. And I'm Rod Niemela from District 38. I come here to talk about the matrix.

The matrix I feel is incomplete for a few reasons. It does not take the number of volunteers into account or the number of volunteers or hired medical staff. It also doesn't take into account speed events such as motorcycle racing and trucks and cars, which there is a difference in those. You have dual sports and Jeep events, which are motorized but nonspeed. And then you have stuff like desert clean-ups and we have a rocket club. So all these things need to be accounted for on that.

On the subcommittee, I got wind of it about a week and a half ago, and this is something that I have contacted Teri on many times. And it makes me very happy. I'm very pleased to hear about the subcommittee. I feel strongly that this is the correct way to go.

As far as spectators go, I think there needs to be a definition on what is a spectator and what is not. Is a participant a spectator? Is somebody on a crew a spectator? These are things that need to be addressed and these are my opinions, even though I
come from District 38. You can take a poll, but if I
offend somebody, don't hold it against my district.
Was that under two minutes?

CHAIRMAN BANIS: Dynamite!

(Applause from the audience.)

CHAIRMAN BANIS: Are there other District 38
members here? Thank you all for coming. Thank you.
Thank you, Rob. Next on the list is Mark Underwood.
Mark, thank you.

MR. UNDERWOOD: Mark Underwood. Thank you
for your time. I will be brief due to the time
constraints.

My concern is mainly with race events; that
you also look at the separation between a race event
and a recreational event and that the two are not the
same. Thank you.

CHAIRMAN BANIS: Very good. Thank you, I
appreciate that. Just one moment. I want to catch
that. Thanks again, Mark.

^ Check Rich Wohlers from District 37 and the
Four Aces. Rich. Hey, there we are.

MR. WOHLERS: Rich Wohlers. I live here in
Apple Valley, retired, and I'm a District 37 member.
My club is Four Aces. Since the MBR incident we have
had two events that our club has put ON. One in
November we had an Enduro at Johnson Valley. And in February we had a national (unintelligible). These are half a dozen comments I will make, and I think you will hear them from a lot of people.

No. 1 is that motorcycle events are different. The Enduro we had is not a speed contest. It's an event where four riders take off every minute and they go at various speeds, typically low speed. There is nothing really high speed. I didn't feel that our event was treated like that because the BLM people who were really involved with us don't understand what an Enduro is or the difference between different motorcycle events. So we need to help educate you on what our events are like and what concerns you might have.

The new requirement to provide course maps in six months at least right now is difficult. I guess we will grow into it. But when we lay out an event, we are not just looking at places on the ground. There are other events that have been around, and environmental concerns due to weather. Typically we are working on a course at about two months before our event. So six months we will get around it, but it's a difficult thing for us, I think, to be able to handle it.
One of the problems that we have had with both events we have had is we get told these are the requirements, so go work A-B-C and D. And then we completed those and now we have E-F and G, so we don't know what everything is we need to be working on.

And the other thing we need to address is communication. I was personally a little bit offended at our November event. My son is president of Four Aces. He is the person who has dealt with the BLM for many years, is the person that fills out the forms and communicates with the BLM on these events. The gentleman who was in charge of that event said I been trying to get ahold of this guy 15, 16 times. He never returns my call. We are people who are workers and have phones off during work if our work doesn't allow us. My desire is for the majority of communications by e-mails. The --

CHAIRMAN BANIS: The two minutes has expired. Thank you, though. I very much appreciate it.

Grant Tucker.

MR. TUCKER: My name is Grant Tucker. I'm taking my three minute and trying to cut it down to two.

Mr. Chairman, Council members, good afternoon. My name is Grant Tucker. The past 11
years I have been involved at all levels with an
off-road race team.

The ever-changing conditions placed on
California off-road race promoters applying for a
Special Recreation Permit are creating ripples. I'm
speaking specifically about the impact on a way of
life for myself, 100-plus race teams, and the hundreds
of families that participate in events held under the
banner of Mojave Off-Road Racing Enthusiasts.

The vast majority of us welcome reasonable
changes and the tools to promote safety. That being
said, each of the five SRPs issued to M.O.R.E. since
the tragedy has required additional conditions to be
met.

The industry fees for the final race were
$200 for sportsmen and $360 for pros. The race held
in January under the newly imposed requirement of cost
recovery saw proposed entry fees jump to $240 and $400
respectively. However, before the SRP was issued to
the promoter, only days before the scheduled race,
even as teams were loading their race vehicles and
RVs, BLM changed the promoter's liability insurance
requirement.

This new condition resulted in another fee
increase to race teams. Now we are paying $340 and
$500. Over 100 teams found or made room in their budgets to pay the new fees last weekend. Even before the dust had settled from the day's events, we were informed that a new insurance requirement had been mandated by BLM for the next event. Another substantial entry fee increase is most certainly on the horizon.

The current economic state of Californians has made our racing community particularly susceptible to the effects of increased costs across the board. Increases in travel cost and entry fees added approximately $750 to my team's bill for last weekend. The collective investment of the team I race with and its members is something north of $500,000. That much is about in the middle of the pack for the 100-plus teams that regularly participate.

The teams of M.O.R.E. did not receive big dollar sponsorship. For the majority of us it is a good day just to get some free parts or maybe gas money for the race. I believe we are on the verge of seeing a decline in total entries. Any significant fee increases, and uncertainty in planning budgets, will surely see mom and pop teams begin to fold.

I respectfully submit the increases in insurance requirements conditional to a permit are
becoming onerous, and only have relevance in the event of a severe failure of the safety programs now being placed. I believe the SRP's emphasis should be placed on safety and prevention, not indemnification and compensation. Thank you.

(Applause from the audience.)

CHAIRMAN BANIS: Thank you for your eloquence. I appreciate that.

Mr. Ed Waldheim.

MR. WALDHEIM: The health insurance that was put in was not part of the regulations. It's an interpretation that somebody is doing up and down the food chain. If the BLM wants to force the new health insurance tax on you, the BLM needs authorization.

The current law does not grant that authorization. That comes from an insurance person who does all the insurance for vehicles and so forth. What the BLM is determining applies on your day-to-day insurance policy. It's a standard thing, insuring the people that you may hurt, something like that. But for you personally, who may have a Kaiser plan or some other plan, it's redundant to require them to have insurance. That has to be resolved because you are bankrupting people.

What is happening -- I put the five points I
put up -- I'm not going to go over them right now.
You have them in writing as part of the record.

The economic impact on our society down here in Southern California is tremendous. For every race that you lose, it's millions of dollars of ripple effect that happens on our economy. We are all on a shoe-string. There is not one of us who is a rich person out there. One race less, that means manufacturers of engines and so forth may not be able to pay their bills and they may fold. This is an economic issue. The racing SRP is more economic than is tourism. The recreational riders is a tourism issue.

The other issue that the subgroup needs to tackle is that my little stupid poker run should not have more BLM employees watching my five people on a poker run than I have in the event. It makes no sense whatsoever.

The equestrian people, the new federal employees putting new regulations on dual sports, you shall ride double or you will have a buddy partner or you shall sign in and sign out. I don't have to sign out. I can go anyplace I want to. I'm street legal. I don't have to come back to the start. I don't even have to follow the road chart. I can go home. What
regulations are you going to impose or force on a promoter who sells a roll chart to go and enforce that. It makes no sense.

So there is a lot of issues you need to resolve. Thank you.

CHAIRMAN BANIS: Thank you, Ed.

MEMBER GROSSGLASS: I would like to have a question on Ed's comments. Ed mentioned -- and I'm not sure who can answer this question. Ed mentioned health insurance being required by the BLM. Maybe I'm wrong, which happens all the time. I thought it was public liability insurance that was required. Who is going to step up and answer my question? I don't mean to put you on the spot, but I wasn't understanding it to be health insurance. I was understanding it to be type of liability insurance.

MS. LASELL: I'm Bekki Lasell. I'm the deputy district manager of operations for the BLM CDD office.

It's the medical expenses. The reason why that is required on insurance is because if there was an injured party from these races, if that was to be excluded, the injured party would have to sue BLM and the event promoter in order to cover those injured. So BLM is asking that the insurance covers a minimum
of $10,000 under that medical expenses coverage section of the insurance.

MEMBER GROSSGLASS: But that is under the liability. It's a type of liability insurance. It's not a type of health insurance. It's a liability insurance; correct?

MS. LASELL: That's correct.

MEMBER GROSSGLASS: It's just like a slip and fall you get for a business or something like that. It's been very confusing, especially for me.

CHAIRMAN BANIS: We are going to have an opportunity as the Council after the public comments to be able to query the BLM further should we desire to. Thank you, Bekki, I appreciate that.

Back to public comments. And again, thank you all very much for sticking with the time. This is very informative, and it's going very smoothly. I think everyone is going to have a chance here today.

Pat Riley from SCTA, Southern California Timing Association.

MR. RILEY: I want to put a face, first of all, on what the SCTA does. I will do it quickly. I want to put a face on what the SCTA does so you as a board knows what we are about.

We have been racing out at the El Mirage land
speed trials since 1930. We have had 60 years out there now, and we consider that the start of our roots in the off-road landspeed racing. We are the stewards of that lake. We have been the stewards that lake for many, many years. We have volunteers. We work with BLM and we work with the Friends of El Mirage, we contribute time, funds, and we have projects going on out there all the time to help them.

We got considerable investment on the west end of the lake, in the neighborhood of $500,000, and that's a building and a residence out there for our trailers. Now, that's all the good side of it. We are working with BLM. I'm a liaison to the BLM and Friends and also the treasurer of the SCTA.

Now, the bad part. We are nonprofit. We have always been a nonprofit organization, and I spend about $20,000 in loss every year when we have a season, six meets. We also have two meets at Bonneville. Now, that $20,000 is picked up by the Bonneville side of it. What is going to happen if we have two rainouts at Bonneville? We have contingency for that, but after that, we are out of money and the backup money doesn't back. So basically that means what we are looking at is 60 years of heritage that I could lose, and we could have the racers done.
The average racer has about $50 to $75,000 in their car. There are 831 people in the organization. That impact on the Speed Equipment Manufacturers Association here in California, if we quit buying this stuff, it's going to be profound.

So these are the things I want you to know what we do and how we volunteer with the BLM. And I want you to know we support the community out there, Chamber of Commerce. And also want you to know that there aren't deep pockets, so what I would like you to do is consider these fees down the road and see what you can do to help us out on that.

CHAIRMAN BANIS: I'm sorry, this isn't working for me. I'm sorry, pardon me. I think it would be best if the folks could see the time. Would it be all right if you came up and sat next to Richard? I think it's going to be really helpful.

The reason I bring that up is that some of you really want to get the meat and potatoes out at some point. And if you see how the clock is doing, it gives you a chance to be more effective. So it doesn't do us any good to see the two minutes is up. It's more for you folks to be able to time yourselves. So thank you. I have John Stewart.

MR. STEWART: Good afternoon. John Stewart,
California Association Four-Wheel Drive clubs.

I have been involved on some of these SRP discussions since I first broached the topic in 2003. Then it was to try to move the BLM to a point where all field offices were interpreting the regulations correctly. After a couple of years' prodding, that resulted in a team that was put together and resulted in the 2007 handbook.

Fast forward to September 2010 after the tragic accident at Johnson Valley. Again at the DAC meeting in El Centro, I encouraged the BLM to put together another team to look at how the changes to the process need to be done, the changes that reflected different types of events. And looking to, when you start looking at this, put in a process that avoids undue and costly stipulations to the recreation events that are noncompetitive and nonspectator.

These were things that were not considered in the original rule and these are things that are very important now, as is being borne out. And within this framework we also need to have a clear definition of what is monitoring. Monitoring is mentioned very heavily, but there is no real definition of what monitoring entails. And does monitoring require a special or specific knowledge? And where possible, to
use volunteers to accomplish the monitoring rather than the expensive staff of BLM or the expense of BLM staff, although that does -- the expensive BLM brings you up into the cost recovery issues.

And then when you are looking at cost recovery, that is the time and effort applied in order to conduct and work through the permit process. So these are issues that have to be looked at.

And then lastly, with respect to the matrix, I am not very comfortable with the way that matrix is. And I would rather see it defined in terms of risk assessment. And within that framework, that risk assessment would help define what is necessary for monitoring and what is really necessary for BLM staffing the event. Thank you.

CHAIRMAN BANIS: Thank you, John. And I know that that's a challenge. You have done a tremendous amount of research on this issue, and you have become very learned on it, and I apologize for making you have to put all of that into two minutes. But thank you.

I'm going to call a couple of names just so that folks can know where we were in the order. The next speaker is Jerry Grabow, followed by Marie Brashear, followed by Ron Matthews.
MS. BRASHEAR: I will give up my time to whoever needs it.

CHAIRMAN BANIS: Thank you, Marie.

MR. GRABOW: Hi. Jerry Grabow, AMA District 37 Off-Road president. I would like to thank the BLM and the field managers and staff for the tireless hours to help us with the process of filing our events and our SRP process.

I would also like the DAC to look at the possibility of an MOU for each type of event and going as far as a specific organizer. That way, the field office manager can get that level of comfort that they need to ensure that the event will come off safely.

Along those same lines, we all know what a District 37 event looks like. As far as whether it is a Hare and Hound or an Enduro, they all kind of look the same. And the BLM -- I mean, we have been doing this for 30 years. So I would hope that the BLM would understand what type of an event we have and would understand what type of staffing that they would need on the ground.

We will also do our part to get the paperwork process in line to where we would cut down on that office staff review of paperwork so that the paperwork looks more similar.
And then going along those same lines, we would also ask that if we do go over that 50 hours, if we could get some sort of a standardized ruling or cost for each type of an event, whether it be a car-truck race or motorcycle race and gear that toward the specific end users or event organizers. And then that way the end users would have more of an idea of what their end costs would be in hosting some of these events.

So again, I would like to thank all the DAC and the BLM. Thanks.

CHAIRMAN BANIS: Thank you for your hard work on this issue. I appreciate it. You have made this a big priority. Ron Matthews, followed by Wayne Nosala.

MR. MATTHEWS: Thank you for hearing me. Ron Matthews, race driver with M.O.R.E. racing. Can you hear now?

I have a paper that I have given to Roxie. There were plenty of copies of that that the DAC should all receive from her.

I basically had all my questions answered, but one thing I do have in mind.

There is some property right straight across from Slash X and east of Highway 247. This area used to be grazing land. There is now a kiosk and an area
open to public lands, totally fenced all the way to Camp Rock Road. This area could be set aside for racing only. And on the days that cars and trucks are racing, no motorcycle people. No cars and trucks if motorcycle people are out there. This is a safety issue that would eliminate 90 percent of the problem and ten-fold the safety factor.

I will submit this to the DAC. You can ask Tami for others. There are probably 10 copies of this floating around. Appreciate that.

CHAIRMAN BANIS: Appreciate that, Ron.

(Applause from the audience.)

CHAIRMAN BANIS: Hi, Wayne, welcome. The floor is yours.

MR. NOSALA: Hello, committee. Wayne Nosala. I'm from Mojave, California.

I would like to express my great concern for the direction that the BLM has taken with regard to motorized competition events in the California desert. I'm a third generation outdoor recreationist and a racing fan. I raced buggies and was involved in the sport for almost all my 40 years.

I have also participated in competition events in almost every capacity: Mechanic, pit crew, a fabricator, driver, spectator, and even a component
Also a little bit of land use.

Because of the depth of this experience, I have a unique ability to suggest workable solutions to issues regarding desert-based motorized competition events and ensure the viability of these events for many years to come.

I have spoken to almost all the promoters -- buggy, truck, four-wheelers -- and they all have enjoyed a positive, cooperative response and relationships with their BLM district offices.

For 40 years trouble-free events have been held with few issues. However, after this tragedy at the California 200, this historic record seems to have been forgotten. Race teams and supporting businesses are now threatened by sudden changes in BLM's permit processes. This year alone, we have lost events from MDR, SNORE, AMA District 38 and DRIVE.

Year 2004 I was M.O.R.E. class champion, one of the highest footnotes of my life. The only remaining competition Truck/Buggy events are held right now are by M.O.R.E., one by Hammer King Productions.

(Interuption in proceedings.)

CHAIRMAN BANIS: Just a moment. Continue. I'm not going to run the clock on you. That's my
fault. Just a moment. The floor continues to be yours, my apologies.

MR. NOSALA: This is a very high toll for businesses to pay when they were not at fault for the tragedy. It's a very high toll for the businesses. We have to remember that these same businesses create jobs and bring considerable revenue to surrounding areas during this time of economic difficulty.

The staffing matrix and cost recovery as proposed by the BLM needs to be altered so these promoters of business can resume holding these events.

It's also come to my attention that BLM is monitoring events very closely to identify safety issues. On the surface, there is nothing wrong with this, but I see this sometimes as being used as an excuse to penalize event organizers over small, somewhat petty issues to identify small errors to demand higher insurance and coverage for future events.

I attended a M.O.R.E. race last January. This event was very well organized. There were 33 volunteers on-site, all of whom had radio contact with the main event scoring trailer during the entire day. All issues were reported and corrected promptly by the volunteers. The volunteers had every issue handled
before any BLM ranger had time to respond.

I invite the members of the DAC to attend a M.O.R.E. race. I would love you guys to come out. I will give you a tour and show you how professionally run these races are. I like the concept of the promissory MOU idea that Mr. Grabow has proposed. If this MOU is not met, the BLM can say, don't start the race.

I know some of these remarks you may not understand. I will always be available to help explain, and I know the DAC is only in an advisory capacity to the BLM, and request that advice include a call for balance to return to the permit process for competition events.

(Applause from the audience.)

CHAIRMAN BANIS: Again, my first day on the job. Sorry to have taken you out of that rhythm.

Before I call the next speaker, I would like to acknowledge a written comment from Jeff Cepielick. I hope I said that pretty close. Thank you, I appreciate this very much. I have this.

I also would like to acknowledge a written comment from Mr. Jeff Knoll. I know you were very involved in this issue. Thank you very much for this comment. Wherever you are --
MEMBER GROSSGLASS: Jeff is not here. I also gave everybody a copy of his comments because I forgot to do it yesterday. It was on all your desks.

CHAIRMAN BANIS: I have Mr. Tom Willis and I have Jim Woods. Tom, you have the floor for two minutes.

MR. WOODS: Tom Woods. I was at the start line during last year's California 200 off-road race. Just to clarify what happened, after we heard that the 41st (unintelligible) had crashed, we immediately informed the racers, who shut off their motors, took off their helmets, and asked how they could help.

This sport requires us to be self-sufficient. We are also self-policing. In two decades as a volunteer race course worker all the way back to the days of the Run ACA, I have never witnessed a crime between racers or crews, no one has ever been stabbed, shot, or robbed. I have never heard of a single crime against a child while attending a sanctioned off-road race. We also leave our pit areas cleaner than we found them.

The reason I bring this up is because I am a government employee. I have been contacted by an organization by called PEER, Public Employees for Environmental Responsibility. Their Web site
encourages us to demand a congressional inquiry into the full cost of reckless off-roading to taxpayers and natural resources. We are encouraged to turn in information of this kind, but nowhere does this list mention writing Congress about the real problem: Illegal dumping, everything from household trash, refrigerators, computers, abandoned cars, even drums of hazardous chemicals. There is no comparison between legitimate and sanctioned off-road racing and the criminal acts occurring as we speak. What is the cost recovery plan on illegal dumping on established race courses?

CHAIRMAN BANIS: We may seek an answer for that at the conclusion. Thank you.

Jim Woods. We have other CORVA members here in the audience? Other CORVA members in the audience?

MR. WOODS: My name is Jim Woods. I'm the president of CORVA, California Off-Road Vehicle Association. We promote all types of access to recreation in the desert where it is off-road.

First, I would like to take my hat off. You have done a good job. This was a tragic accident. But as the old saying goes, don't throw out the baby with the bath water. You need to look at the jobs done by various groups over the past 40 years, the
safety record they have, and the quality of events
they put on for families and racers alike.

Back in 2004, Roxie Trost and I sat at a
table in Denny's. She handed me a cost recovery bill
for over $10,000 for dual sports, and I was president
of dual sport at that time. We discussed it. We
found out what caused it.

The following year, our cost recovery was
less than $2,000. We monitor our own corridors. We
got an A-plus report card. And the best part, when I
was sitting in sandy Nevada, Dave Rowe (as pronounced)
comes over and says, thank you guys. We were allowed
now to have enforcement where it was needed by not
having to over-enforce and over-monitor our event.

The SRP committee is vital to our desert
recreation. It's vital to our sport. I commend you
for allowing it to happen. I hope you all vote for it
to happen. And I will hand you our comments of CORVA.
They are very straightforward and repeating what
everybody else has said here.

The matrix is a good starting point. It's
not the final answer. Every event is different, and
every event is important to, whether it be the desert
racer, the rocketeer or the rockhound.

Thank you very much for letting us speak and
again, we hope you do allow this committee to form and
develop our deserts into what it should be, a
recreational area for the public. Thank you.

(Appplause from the audience.)

CHAIRMAN BANIS: Thank you, Jim, for your
leadership on this issue.

Clayton Miller, followed by Helen Baker.

MR. MILLER: Good afternoon, chairman and
members of this Council. My name is Clayton Miller.
I'm the southern regional director for California
Off-Road Vehicle Association. I'm following the
president's comments.

I think when I am sitting here this
afternoon, what I am hearing is there is a distinct
interest on part of the Council to try to address
this. We have heard a lot of different problems
individually. I was going to talk about the number of
events at any given field office, but I don't think I
need for go into that kind of a specific example of
what CORVA experienced last year going into this year.

But I guess what I would like to say is I
recommend that this committee form this subgroup this
afternoon. And I think it sounds like it's something
that's really needed. And hearing Roxie Trost talk
about the changes that they are considering now, has
been a result of communication. So I think it's that much more important. Thank you.

CHAIRMAN BANIS: Thank you, Clayton. It was nice of you to come this far and fill us in.

Ms. Baker, welcome.

MS. BAKER: Thank you, Randy and congratulations. Okay.

My name is Helen Baker. I'm representing the Johnson Valley Improvement Association at the meeting today. From the standpoint of the small rural communities that surround the BLM land where all of your events occur, we not only want you there, we need you there. If the organized events do not come to our country, we will die.

The local communities, the Lucerne Valley Market, the Mojave Market, all the other areas out there, we need you, we want you. We want you to know that, and that's why we are here today supporting your events.

I believe that the BLM is trying to fix the wrong problem. The organized events and the people in this room are not the problem. They are doing the right thing. They take care of their events. They police their constituents, and they consistently leave the areas that they use in better order than they
found them. Again, they are not the problem.

My question is, why do we only see the BLM monitoring the organized groups? Where are they the rest of the time? Thank you.

(Applause from the audience.)

CHAIRMAN BANIS: Thank you, Helen. I would like to acknowledge a written comment from Randy Engen, E-n-g-e-n, property owner from Imperial County. Thank you for coming.

I have two speakers, Lee Perfect, followed by Joe Williamson. Welcome, Lee. Thanks for coming. You have two minutes and the floor is yours.

MR. PERFECT: Thank you for the time. I'm up here as an avid off-road racer. Been racing for 30 years. Have been making my living solely as extra money since 1994. Currently my wife and myself are employed in the off-road industry.

The BLM is in a hard position to enforce these rules and regulations after this tragedy, and that's what it was, an accident and a tragedy. The biggest problem I think currently with M.O.R.E. and all these organizations is we need to get a set of rules and requirements that are obtainable. These ridiculous requests for insurance that is maybe being interpreted wrong, we need to get this set out that
there is a set requirement, rules, get it all in so
these organizers can meet them, not have the
regulations change days or weeks before an event so
every event they are scrambling to make the
requirements and get more insurance. It's costing
them money to go up for the racers.

If these races stop happening, it will be an
unbelievable effect on the industry, from Ford, to BF
Goodrich, to mom and pop stores in the Lucerne Valley,
to fab shops, RV dealers. It will be a huge burden.
So that's what I am requesting is a set, obtainable
requirement. The insurance thing is ridiculous what
they are requiring. I think that's a bad
interpretation. So that's what these organizers need
to have good races.

The BLM, they are requiring all these extra
officials to be out there and their pay. Let's get
them active. It's education that's going to keep
these people from getting hurt from standing back.
Just sitting in a truck, if that's what the BLM are
doing, and that's what I see and hear a little bit.
Don't just sit there and wait to write down a demerit
for these organizers. Let's get involved, let's
educate people. Stand back; pay attention; don't
stand on a corner, all this type of stuff. I have a
five-year-old son. I want him in ten years to be able
to race off-road if he chooses. And it's our deserts
and it's a great way of life. Thanks.

(Applause from the audience.)

CHAIRMAN BANIS: Thank you very much.

MR. WILSON: Joe Williamson, off-road racer
in District 38.

First off, I want to say, Mr. Chairman and
board members, I appreciate the subcommittee that you
have dedicated for the SRP. Like the gentleman before
me, the increase has gone up from last year to this
year 560 percent is how much District 38 basically
pays to put on a race. And that's not counting what
we pay LaSard (as pronounced), and the medical stuff,
that stuff remains the same, but 560 percent between
the cost recovery and the insurance going up over 100
percent.

The local BLM -- I'm from the El Centro area.
We have a very good rapport with them. I think they
do work on educating the promoters when they see
something wrong, unlike what the gentleman before
said, they don't just sit there in their truck in the
District 38 area. These guys are too close, have them
move, and they assist us in that.

I do think the oversight they have went from
one or two rangers driving in through the event, the
day before the event or during the event. Now they
have six or seven show up. And again, I think that's
overkill for a -- motorcycle racing is not that much
of a spectator sport as it is -- and I think the
definition of the spectator, like has been pointed out
before, should be better defined.

    Thank you very much for my time.

CHAIRMAN BANIS: Thanks for coming from so
far away. I appreciate that very much.

    (Applause from the audience.)

CHAIRMAN BANIS: Ladies and gentlemen, thank
you again. I realize that you all were only able to
scratch the surface. But on behalf of the Council,
I'm sure you will all agree that we are really quite
impressed with your professionalism and how well you
have really learned and delved into a very, very
complex issue. We have all become experts on this,
and we can only benefit from that. Thank you.

    I now would like to turn the floor over to
the DAC. Thank you very much. Jennifer, that was
very helpful.

    I would like to turn the floor over to any
DAC members who have further comments to add to this.
Dick Holliday.
MEMBER HOLLIDAY: I would like to comment on the idea of an MOU, and I think that that will be taken up with the DAC subgroup. I think the subgroup will be the perfect entity for ideas such as that. That never occurred to me, but it seems like if there are promoters -- obviously that wouldn't work for a single purpose use -- but if there were promoters putting on many events, that may be a good way to handle something like that to cut down on the amount of time that they have to spend and that BLM also has to spend on processing applications.

So I think that's a real good use for the DAC subgroup, and I'm sure that other ideas that the public has can be expressed at the subgroup level. The subgroup will be constituted and it will allow the public to have input to the DAC, and that input will come through the DAC member on the subgroup to the BLM.

And one of the things that we did work on yesterday, and for those that were here this morning and saw our presentation, one of the things that I have been trying to get and I think that the BLM is going to do now is to have more public visibility on ideas that we have given to the BLM and how they have accepted those or rejected those or what the results...
of those were. Because in the past we would make a recommendation and we may not fully understand how that was implemented or not. So we are going to do much better about making that information public so the information that is coming through this DAC or this DAC subgroup or SRP subgroup will be available and you will be able to see how the recommendations of that group have been addressed by the BLM.

CHAIRMAN BANIS: Thank you, Dick. Any further comments from our Council members?

Therefore, if there are no objections from the Council, and with the concurrence of Teri Raml, the Designated Federal Official for the meeting, I hereby, by the powers granted to me by the bylaws, would like to establish, formally establish the SRP subgroup. I would like to also thank and acknowledge Meg Grossglass for -- she deserves credit and thanks for being a leader on behalf of the DAC for this issue and thank you.

I also would like to thank the rest of the DAC for fulfilling your duties and paying close attention to what folks have said. How many of you in the audience didn't get a chance to speak? I would like to see hands, or didn't speak. Didn't speak at all?
I would like to thank all of you, though, for coming and thank you for showing your support. I want you to know we see this and we recognize that. And also, there are applications available starting immediately. This formation of this subgroup will be published through the Federal Register and will be done on a fast track. We will have this up and running relatively quick.

MR. RAZO: No Federal Register.

CHAIRMAN BANIS: It's open. These applications are available and ready to go now today. And also I will be more than happy to continue to take any comments that you have today. We still have a couple of exciting issues on the agenda, so please keep jotting down any other comments you have.

MEMBER HOLLIDAY: One more comment also. I would like the public to also understand the generation of this DAC subgroup is being fast-tracked from the standpoint that we fully realize the importance of this issue and to get it done.

Anything like this typically would go, and it would be a motion and then we would wait until the next DAC subgroup to vote on that. What we have elected to do here is make a short period of time of 30 days to ask for people to be -- their applications,
if you will, for this.

BLM or Randy will work on selecting those folks. And once they are selected, we will then affirm those via an e-mail vote so we don't have to wait until the next DAC group. But we hope to get this group up and constituted and meeting within 45 days. And the primary time is just really to give everybody the opportunity to put in their application.

CHAIRMAN BANIS: Thank you, Dick. Thank you to Don Maruska on your good guidance on working this issue through, and thank you to the BLM for all your resources to facilitate the comments and look forward into moving into a new chapter.

DIRECTOR RAML: I would also like to add my thanks to the field managers, particularly Roxie, who has put an incredible amount of time on this. This has been a rough transition. We do acknowledge the safety record and the long success that we have had in conducting events in the Desert District. And we are in a new era. And the field managers, Hector, Roxie and Margaret, have worked very hard to learn the intricacies of the permit, as have I. I understand all your questions because I'm still learning about it.

I also want to appreciate the DAC. We
actually even coined the term that I really didn't have the authority to coin by calling it an "ad hoc subcommittee." But the BLM really values public input on this. This isn't an environmental process where we have a public comment period, but I appreciate the willingness of the DAC to kind of come together quickly and take a lot of interest in this. It's not always been transparent how we received and solicited comments. The subgroup is going to help that immensely.

And I also really do want to acknowledge those of you who came indoors on a Saturday afternoon. It encourages me to think it's worth it and that you spent the time this afternoon to come and talk to us, and we certainly appreciate that.

CHAIRMAN BANIS: Very good. We are moving to a new agenda item at this point. There is a great show that's going to be coming up on the board, on the video. I urge you to stick around for a few more minutes. You're going to see a great show. Is Sterling going to be leading this or we go straight to Wally?

MR. RAZO: Wally and Steve.

CHAIRMAN BANIS: I would like to turn the floor over to Wally Cahill of Cahill Motor Sport
Mania, and Wally has an exciting show for us today.

MR. CAHILL: Thank you, Randy, all the committee here, and more than anything, thank all you guys that came out from the off-road enthusiasts' side because it's very important to get the word out so we can see what's going on. We do responsibly recreate on public land. It's very important because we see the results of what has happened here, so we have a great committee out here.

And I do public outreach. I have a national television show, "How The West Was Fun." We focused on five different areas here in the Southern California Desert District. And we would like to share it with all you guys because it covers everything from your rockhounds all the way to OHV activity.

Personally, I have been an OHV activity type of person, racing with District 37, then going down to Glamis or the sand dunes way back in 1981. So we have been out there a long time having a good time.

I would like to make sure that everybody realizes that what we are promoting is good, positive family recreation on public lands, our public land. Like I like to say all the time, we are coming up to tax time. When you give your accountants information
to cover your taxes, you give them all your
information and cooperation so they can do the best
job they can do.

That's how we ought to be treating the BLM. They are working for us, they take care of our public
lands, and the best thing we can do is give them as
much input as possible to make sure they can manage
our land to the best of their ability for us.

So what I would like to do is I would like to
show you a quick synopsis. Steve, are you going to
talk first? Then we are going to go ahead and go into
a brief overlay of five shows that we did last year
just so you can get an idea of what we do. And then
we are going to show you the Secretary of the
Department of Interior actually down in the Imperial
Sand Dunes driving a dune buggy. It shows that these
people really do care, from Washington all the way
down to Moreno Valley. Steve.

MR. RAZO: We have had a great relationship
with Wally for at least ten years with him helping us
promote safety out on public lands. These programs
were a result of grant money, and we have put in for
some more.

What you are going to see is a sample of "How
the West Was Fun," but I want to encourage you if you
have any ideas for show ideas, we want to hit all
those unusual places out in the desert that's
available for the public to enjoy. We will certainly
talk to you, and maybe program at one point to go out
and do a show out there in the format that you are
going to see.

And it was -- the Secretary was down at
ISDRA. But this is a vehicle for us. It's outreach
and it's available to you as the user to come up with
ideas and possibly be on one of these shows
eventually. By the way, his show reaches out to 6
million viewers nationwide.

("How The West Was Fun" was viewed by the audience.)

CHAIRMAN BANIS: Gee, that was fun. It's the
best off-roading I have done all day.

Are there any comments from the DAC?

MEMBER SALL: It was fun.

CHAIRMAN BANIS: We have scheduled on the
agenda that we would be discussing abandoned mine
lands issues?

MR. RAZO: We are going to put that on the
next agenda to give it more time.

CHAIRMAN BANIS: The discussion on abandoned
mine lands is going to be tabled for a future meeting.

Could I have a motion on the table?
MEMBER SHUMWAY: Point of order. Maybe there might be somebody here who came to specifically comment, and you might want to ask for that first.

CHAIRMAN BANIS: I agree. Any objections before I call for the motion? I have three speakers on abandoned mine lands issues. First Marie Brasheer.

MS. BRASHIER: You can skip me. I can do it another time. I would open a Pandora's box, and I don't think you have time to do that.

MR. WALDHEIM: Next meeting.

MR. STEWART: Next meeting.

CHAIRMAN BANIS: Very good. Do I have that motion to table?

MEMBER SHUMWAY: I move to table the abandoned mines to a future meeting.

CHAIRMAN BANIS: Do I have a second?

MEMBER ACUNA: Tom Acuna seconds.

CHAIRMAN BANIS: Anyone opposed? Hearing and seeing none, this issue is tabled to a future meeting.

We have worked our way into a brief afternoon break. We are 15 minutes behind, but we will -- let's get back at 3 o'clock on the nose, please. That will give us a 12-minute break. Three o'clock on the nose. Thank you.

(Recess was taken 2:48 p.m. to 3:10 p.m.)
CHAIRMAN BANIS: Thank you all for speaking with us. We've got another big presentation ahead today. I would like to -- no, first, let folks know that are still here for the SRP issues there are questions of where to submit the SRP applications submitted to the Desert District. And the address is on the Web site for the California Desert District BLM office.

Ladies and gentlemen, I'm pleased to introduce to you from the United States Marine Corps, Capt. Nick Mannweiller, who will be discussing -- starting us off on the discussion of the Twentynine Palms Marine Corps Air-to-Ground Combat Center proposed expansion. Captain, you have the floor.

CAPT. MANNWEILLER: Thank you very much. I'm going to use my big boy voice. I do much better with that than with the microphone. If for some reason you can't hear me, please let me know and I will switch to the mike.

I am Capt. Nick Mannweiller, called man child for obvious reasons, and most of you are familiar with our proposed land expansion project. I wanted to give you a couple of quick moments -- feel free to put me on the counter -- but in any case, we just want to give you kind of a little bit of background real
quick. And then Chris Proudfoot will come up and talk to you about where we stand on the project, how much progress has been made.

My fundamental point I want to pass to you is we need the feedback from the public. The document is large, but in my mind this is a long, lengthy process and it's very complicated for a reason. And it's to keep the government from advancing too rapidly. We need feedback. This is public dialogue.

All right, so to give a little bit of background, most of you are probably familiar with the fact that Twentynine Palms trains 90 percent of the Marines that go to Afghanistan annually. We have roughly 38,000 Marines that come through training every year at Twentynine Palms.

The training program that we use to do this is called Enhanced Mojave Viper. It's a 28-day training package and utilizes all the different parts of the Marine Corps. What makes the Marine Corps special is that we play really well with each other and not really very well with the other services. We like to have our own aircraft because we think we do it better than the other guys.

But we train for everyone to fight on the ground. Everyone understands what it's like to be
down in the sand, 100-pound pack on the back and knees hurting and getting shot at. You do that first, and then you learn to fly aircraft or become a public affairs officer or something like that.

So the 28 days of the training program is entirely based around getting Marines ready to fight as a cohesive team with aircraft, logistics, tanks and everything like that.

This training that we are proposing to expand -- the Marine Corps came and said we need to train a Marine Expeditionary Brigade, which is the middle-weight level of our combat power. We can fight on a large or small level, large level called Marine Expeditionary Force, or on a small level, and small is about 3,000 or 5,000 Marines. A brigade is 15,000 Marines with aircraft, artillery, everything else, so we need to train 15,000 every year in addition to the 38,000 we are already putting through.

There is no base that can currently support that requirement. They did a study, and they said that Twentynine Palms is the closest option. And so now Chris is going to come up and talk to you a little bit about the program. But my takeaway for you is we need feedback on it. We want to give you an update on where it stands, but we need feedback to complete
MR. PROUDFOOT: Thank you for giving us the time to come and talk to you today. As Capt. Mannweiller said -- I wish I was that young again -- this is about providing information out to not only your Council, but the entire public so that facts are out and we don't work off a rumor. So the real goal is to make sure that everybody has the information required.

I guess I don't get away with my paper today. We have charts. We will try to turn the lights down. We did throw in some bigger maps so we can see a little bit better as we go.

I'm a retired Marine. I spent 26 years in the Marines. I trained for almost a quarter century now. I have a lot of experience here, and that's just meant to set up the background that I'm retired Marine and I love the Corps and what Marines do.

I do want to highlight, the Marine Corps has been working almost 12 years now on a new concept to deploy Marines. We have seen it in Iraq and in Afghanistan. It's a way to better respond to crisis. And we have already referred to it: The Marine Expeditionary Brigade is the way the Marines not only want to deploy to a crisis, but actually respond to
the crisis for our nation's defense. That's what is driving this requirement.

When we started looking at air and ground space required to train Marines to be prepared to go wherever the nation sends us, we need to train them prior to going. Too many times in both Afghanistan and Iraq over the last ten years, we had Marines coming together on the ground and learning how to fight as a MAGTF in combat conditions, not really the best paradigm.

So when we start looking at employing the Marine Expeditionary Brigade, we have to train them first properly so when they hit the ground, they have the highest chance for success in whatever crisis they are sent to. That's kind of the genesis of the requirement.

We spent about eight years studying in detail different options, different pieces of the puzzle. And it's one of those processes that is long and arduous and it's meant that way by law. We follow the National Environmental Policy Act, and we are in that process of trying to do that. On the 25th of February, the Secretary of the Navy approved the public release of the Draft EIS. That's really why we are here today. We are in the middle of a 90-day
public comment period, and we will talk about our public meetings coming up here in about three weeks' time as we go.

    If I could get the next chart, please.

    We talked about the throughput at Twentynine Palms today. The current paradigm allows for two battalion task forces, about 1500 to 2000 Marines, to maneuver independently aboard the Combat Center. In order to meet the MEB training part, the Marine Expeditionary Brigade training part, we need to put three Battalion Task Forces on the ground simultaneously operating together. That's what really drove the requirement when we looked at this.

    We have already talked about that Twentynine Palms is the premier training facility for the United States Marine Corps. It's very unique. It's about the only place I know of in the continental United States where you can shoot every weapon system in the Marine Corps inventory, air and ground, and then maneuver Marines across that same ground. We don't normally allow that in any other installation because the procedures we have in place at Twentynine Palms, we can set that environment up. That creates the most real environment that any Marine getting ready to deploy overseas can go through short of the actual
combat. That's why this is such a critical feature.

Here is the dynamic event, and I realize you can't quite see this in the back. I did want to highlight it. The MAGTF has four element: Command, ground combat, tanks included, LAVs, other vehicles, and roughly a regiment of Marines --

MEMBER SHUMWAY: What's an L-A-V?

MR. PROUDFOOT: Light Armored Vehicle. About 5,000 to 7,000 Marines alone in that organization, dependent on how we build it. There is an aviation combat element that has F-18s, carriers, helicopters and all the associated air defense assets that come with that. We also have a logistic command element normally associated with lots of vehicles on the ground. That's what we are talking about with the MEB. It's about 15,000 Marines and sailors when it comes together. That's what we were talking about providing training for prior to deploying.

We started a process of looking -- the Marine Corps started this process in about 2002, looking at where could you train MEB, so we agreed we needed to train MEB. Where could you do it? We started looking at the coastal Carolina area on the East Coast. We had to composite multiple bases and training areas together to get this 15,000-man group at one place at
one time, so that was an option.

Then we looked Eglin Air Force base and looked at that as a potential option. Again, we had to get multiple installations together and block out a fairly large chunk of the DOD base inventory along that area.

Thirdly, we looked at the southwestern United States; as you know, there is a lot of bases and air space. What was determined was that the only place in the DOD inventory that we could actually do what the Marine requirement was becoming was Twentynine Palms Air-to-Ground Combat Center, but only if it could be expanded to support those three infantry battalion task forces maneuvering simultaneously. We also slapped onto that, as the Marine Corp did in about 2001, that it needed to be 48 to 72 hours of operation time. So that's why you need the depth of the actual evolution.

Now, we started looking at areas next to and contiguous to Twentynine Palms because that enhanced what we had and didn't create an even larger burden somewhere else. So we looked at lands associated with Twentynine Palms clear around. We established a western study area here, generally aligned with the Johnson Valley OHV area; we have a small section to
the south of the base here just near Twentynine Palms, and we established an eastern study on the east just south of Amboy and clear out to the east.

We used those as study areas in order to analyze what the impact of our proposed action could be: To the environment, to the communities, and across the board in there. And that's the light 1500 pages of reading we just published in the last three weeks.

In addition to land acquisition, we have to increase the air space. The Marine Corps is the only service that employs F-18s all the way down to an M-16 rifle simultaneously and complementary. We need to expand the air space we currently have and establish some new special use air space and some new operation areas, and additionally modify some of the pieces already in place surrounding the Combat Center. So when we think land acquisition, we also think air space establishment.

In 2008, in cooperation with the BLM, we were able to segregate those three study areas that I just showed on the previous slide. During that scoping period, we presented five basic alternatives that met the Marine Corps training requirement, the battalion task forces for from 48 or 72 hours. We held three
public meetings in December of 2008. We received about 19,000 comments. That's why this feedback is so critical to us.

When we looked through those comments and before publishing the Draft EIS, we added a sixth alternative that looked to balance the concerns from the principal commenter, which was the OHV community, which allowed for some balanced activity between Marine Corps training requirement and the OHV recreational needs. And I will show you these alternatives and give you just a quick exposure to those.

Next chart, please.

You still can't quite see the boundary of the current Combat Center, but the white hatchmarked line is the current Combat Center. This is alternative 1: Those three battalion task forces are represented by the yellow lines going east to west across the Combat Center.

In alternative 1, we would look to acquire the south study area here and essentially the entire west study area, encompassing all of the Johnson Valley OHV area. This is an optimal solution for the Marine Corps as it meets every training requirement levied on us by the Department of Defense.
This is alternative 2, which is essentially very similar to alternative 1; however, we only would acquire one-half of that western study area, allowing the remainder of that to stay in its current status. We would also acquire the south study area, as well.

Alternative 3 is still an east-to-west maneuver, but instead of looking west, we acquire the east study area and the south study area and utilize this for maneuver, with the termination of the exercise just along the western edges of the current Combat Center.

Alternative 4, this looks a lot like alternative 1, yet we are going to do a west-to-east maneuver, and we hatchmarked this yellow because we are going to create a restricted public access area. This means when the Marine Corps needs it for training about two months of the year, give or take, there would be exclusive use for the Marine Corps. For the remaining 10 months or so of the year, this would be open and eligible for authorized public access. Recreation, filming, rocketry, those things we normally see associated with Johnson Valley. We would also acquire the south study area in this alternative, as well.

Alternative 5 is exactly the same as 4. We
would just not acquire the south study area. But
again, this yellow hatchmarked area would have 10
months a year that would allow normal recreation
activities to be permitted in there when the Marine
Corps does not need it for training.

Alternative 6, I'm going to highlight. In
the DEIS we selected alternative 6 as preferred
alternative, the Marine Corps. Clear up through the
Congress gets a say in the matter whether this happens
or not. We did this based on that public comment we
got back in December of '08. Why? Because we created
an exclusive use area that allowed us to do everything
we needed to do in terms of distance, depth and the
air space surrounding it. But we also took the high
use area associated with the King of the Hammers race
down here to the south, and we made that a restricted
public access area.

In that concept, about 40,000 acres would for
10 months of the year be available for permitted
recreational activity. This slice of red here would
become exclusive use year around for the US Marine
Corps and its training requirement. We also, in
talking to some of the other uses out there, Southern
California Edison has a huge transmission line here
that moves from (unintelligible) to Pisgah, and we
trimmed the west study area down from that to reduce
the amount of impact that could have on other regional
activities.

We would also in alternative 6 acquire the
south study area. That's my last map.

Does anybody have any questions on the
alternative because I can go back and forth before I
push on to finish up.

MEMBER HOLLIDAY: You keep referring to the
yellow areas as open for permitted uses. Are you
trying to say that that those wouldn't be open areas
during those ten months and only available for
permitted uses?

MR. PROUDFOOT: Yes. The way we addressed
that in the EIS is that the Marine Corps would manage
that ground. And what that implies is that there
would have to be some education pieces done for the
folks that came in there, which would mean a Web
class. What we do today, just as an example, you
can't go off the main side of Twentynine Palms without
receiving a 30-minute briefing on Desert Tortoise, a
30-minute briefing on unexploded ordinance, and a
30-minute briefing on desert survival. Some semblance
of that package would be built in on a Web-based
permitting system to allow us to know that certain
things have been done. But aside from that, once that permitting requirement had been met, it would essentially be as it is today.

MR. MITZELFELT: Would the Marine Corps decide what activities and level of activities and number of activities and perhaps even advance events are appropriate? Or would it be any and all comers as long as they met the requirements of the briefing?

MR. PROUDFOOT: Great question. There is a lot of work to be done with this, particularly with BLM and our community partners. Right now our take is that as long as they met the permitting requirement, all activities that would normally be associated under the BLM management plan today would still be allowed to occur in that restricted public access area. Does does that clarify the answer? Yes, ma'am.

MEMBER GROSSGLASS: I have a couple of questions. I have actually read that section and I'm a little confused.

You want us to get a permit for general play use, as we call it; correct? So in order for us to even go play in that area, me and my son on a dirt bike, we go through a Web class and you signify that that happens. When you say permit, this group thinks of that, a permit as a special recreation permit for
events. I thought I had gone through most of the stuff, and you don't actually say in the documents that the existing uses that the BLM allows will be able to continue and under the same rules or regulations.

So that is something that will make my community extremely nervous. And actually, reading it, it made me nervous. You guys are more nervous about getting sued than BLM, and if you are going to give us this area, don't give it to us and not let us do what we do in it. Let us have a King of the Hammers event. You know what I mean?

MR. PROUDFOOT: That's exactly what we need to see in the comments. That's going to allow us to modify and do the work to make it more smart.

MEMBER GROSSGLASS: The other thing I saw in the comments and you stated in, I think, the statement of impacts that your impact to recreation was unmitigatable.

MR. PROUDFOOT: Yes.

MEMBER GROSSGLASS: Make sure that I understood that. Several people --

MR. PROUDFOOT: As a matter of fact, just if I could. This alternative is our mitigation to that problem. It doesn't lessen it to a level -- legally,
we were required to make a finding of significant impact, less than significant impact, or no impact. We still maintain that was a significant impact, but this alternative is the mitigation for that.

MEMBER GROSSGLASS: Yes, that's interesting. I'm so sorry. Maybe in your opinion that mitigated it. There were several, probably hundreds of comments made in the scoping period that gave you several options for alternatives for mitigation. I have not read the whole document, but I haven't seen that any of those have been studied. And I have actually tried to look through 941 pages to look for the reasons why those weren't studied. Is that a bad question for you?

MR. PROUDFOOT: In the book -- and I should know the page number offhand -- we go for about a six-page review of every -- this is the criticality of the comment. Every comment that we received was addressed in the Draft EIS. So if someone said declassify the sheepfold wilderness area to general land and use it, that was addressed in there. That particular segment is probably a paragraph, but I'm at a loss for the exact page number, but every comment received like that was addressed in the Draft EIS. So there is a plausible explanation of our view of the answer to
that.

MEMBER GROSSGLASS: I'm going to look for it.

MR. MITZELFELT: Does that mean that this alternative, that that 10-month-of-the-year alternative management is the extent of the mitigation that you are proposing, that the Marine Corps is proposing and there would be no additional?

MR. PROUDFOOT: At this stage what we are really saying is in order to mitigate the comments received here in scoping, we created this alternative. This in and of itself is not legally mitigation. So if we received other comments that allowed us to find other mitigation elements, that's what we could do.

MR. MITZELFELT: As it stands, this is the proposal?

MR. PROUDFOOT: As it stands now, this and associated with what Ms. Grossglass was talking about, that section is how we see that applying reasonable access for the continued recreational activity.

Somebody behind you had her hand up first.

MS. SALL: Can you elaborate a little bit more? You said earlier that other bases in Southern California were looked at for this. Can you elaborate a little bit more on that? I know you guys don't like to play in the sand box, but we are talking about
1 historic use that's been an open area and it's a use
2 that you cannot displace. And everybody I think
3 recognizes that.
4
5 So not only is this a concern for the user
6 groups but for neighbors and people that have
7 purchased property adjacent to the OHV area because of
8 its location. Given that you are actually taking a
9 designated use area, how did that weigh into this
10 decision of looking at other military facilities?
11
12 MR. PROUDFOOT: I would say that we -- two
13 answers, if I could. One is that's probably driven
14 our work over the last two years more than anything
15 else we have done outside of the normal legal response
16 for each impact to the resource area. Initially when
17 we looked at all the bases in the southwestern area,
18 again, I'm going to go back to something I said
19 earlier. There were no bases in Southern California
20 that allow Marines or anyone to do what happens at the
21 center today. There are none.
22
23 MS. SALL: Why does not Fort Irwin not --
24
25 MR. PROUDFOOT: They do not do live fire
26 environments. They have a force-on-force blank fire
27 environment. Just as an example, this is the main
28 side of Twentynine Palms. Seven square miles of
29 infrastructure. The remaining 928 square miles of
that Combat Center is live fire almost anywhere. And then we maneuver across it. That's what makes it so unique. I know that's probably not fully registering, but that's why you can't just go to Yuma proving ground and do the same thing. This is what makes Twentynine Palms so unique.

MS. SALL: I guess I'm just saying this is a first-time situation and I feel like that out-of-the-box thinking would be appropriate. But we will leave that for now.

My second question is, Do you have a plan how the expansion is going to change air space and for communities especially that are around that?

MR. PROUDFOOT: It has an overview of the air space we are talking about.

MR. HALLENBECK: Just want to get alternative 4 up there.

MEMBER ACUNA: My question on No. 4 is the yellow seems to be better, the area on the west side of the map, because that's only going to be utilized by the military for two months of the year. The rest of the time it's open to the public without having to go through classes to use the area?

MR. HALLENBECK: Still have to go through classes.
MR. PROUDFOOT: This would have to be permitted activity. So it would still be some form of educational permit, at which point normal recreational activities would be able to take place.

MEMBER ACUNA: Can we go back to the next one then, please? No, the one before 4. There were six, I think. There you go. That one. Red. What does the red imply?

MR. PROUDFOOT: The red is exclusive use, meaning we are going to put DUD-producing ordnance, bombs, artillery shells, hand grenades, those things that on some occasions don't actually detonate the way they are designed and they become unexploded ordnance and does pose a harm or risk to anyone that would come across that.

MEMBER ACUNA: So for that 10 months of the year that others could use it, you really are maintaining control of the property subject to controls that the military requires of those users?

MR. PROUDFOOT: Yes, sir, well said. That's an eloquent statement. I'm going to use that again. Yellow is accessible. Red is not.

MS. SALL: One more question. So as you are probably aware, San Bernardino County has an OHV ordinance and BLM and the county have been working on
providing safe recreational areas and enforcing private property rights and allowing the recreation in the areas that is most appropriate.

This is such a confusing process when it first changes ownership. How is the military going to play a role in educating the public and protecting private property rights and helping everyone through this transition as one of these alternatives is adopted?

MR. PROUDFOOT: That's a great question. I think that's an area, again, there is going to have to be a lot of refinement over time as we deal with law enforcement and the BLM. One of the impacts we did highlight is there's liable to be an increase in illegal off-roading on private property. At that point we are a partner with the community. I know that may sound like a cop-out answer. But we will partner with the community through outreach, education and support.

MEMBER ACUNA: Quick inclusion. Just my thought, opinion, is the idea of you opening something back to the public or anyone else with conditions and strings attached just doesn't go over well with me. I think people want to be able to get their land back and be able to use it as they had previously. How do
you do that? I realize there may be unexploded ordnance and things left behind. Maybe that would be part of a program to take care of that. But that would be my suggestion. I think people would accept that. They just don't want to have to go through a bunch of rules to get back.

MR. PROUDFOOT: That would be exactly the type of comment we need to see a lot of in the public comments.

MEMBER SHUMWAY: I have three questions. So please indulge me.

The permit process you are talking about both in alternative 6 and alternative 4, would that be like getting a gun permit where you go through the class and you go through the security check and then you have that permit, so you get it like once a year or one time? Do you have to go through the class every single time you go on the property?

MR. PROUDFOOT: I don't think we addressed the time horizon on it.

MEMBER SHUMWAY: I would want to know that. The users might be willing to do one time. We have to do this on my mine sites.

MR. PROUDFOOT: That's a great comment.

MEMBER SHUMWAY: That should be something
that should be clear to the people who are going to be
approving these alternatives.

MR. PROUDFOOT: If I could modify one thing
so we can be quoted correctly. I would liken it to
getting a hunting permit rather than a gun permit.

MEMBER SHUMWAY: I guess you could use them
both.

My next thing is there are mineral resources
there, at least one significant that is in the permit
process. So how does permitting and developing and
operating that mine site fit in with your alternative
6, which is exclusive use by the military of the area
that's near the current boundary right now, and
alternative 4, which is the seasonal use?

MR. PROUDFOOT: Clearly, it's easier in the
seasonal use, as that activity could probably continue
along.

MEMBER SHUMWAY: That's something that could
be reached by agreement?

MR. PROUDFOOT: Absolutely. Much harder in
this particular, in alts 1, 2 and 6, much more
difficult because those areas would become essentially
unpassable without us sending explosive ordnance teams
to clear the way.

MEMBER SHUMWAY: What is the proposal?
MR. PROUDFOOT: Our proposal is we are going
to have to purchase any other claims that are active
pursuant to law. So that would become part of the
acquisition process.

MEMBER SHUMWAY: I'm sure the mine owner
would be happy to have something purchased at market
value. But sometimes these resources are not only of
value to the owner and operator, but they are valuable
to the community because they provide mineral
resources. And while we recognize that there could be
some mitigation by moving off-road activities to other
areas, there absolutely is no mitigation for providing
other resources of that quality.

So that is something that the community has
to consider and the military has to consider, as well.
It's not just a market value question.

My third question, the reasons for not
recommending or -- how did you address the question of
transferring wilderness areas or even proposed
wilderness areas that are adjacent to either off-road
access or to military access, either one? Because I
think that in a case like this, everybody with any
interest in the desert is sacrificing for this. And I
don't think anybody in this room would begrudge the
military its ability to have a very good fighting
However, I think in that regard, everybody, all communities, the environmental community as well, and I would submit that critters out there too need to sacrifice something as well. So what is your answer to that in not being able to confer wilderness areas to some other use? I said it's only a paragraph.

MR. PROUDFOOT: Twenty words or less. I'm going to give you a process answer because we made the assumption up front that as part of our proposed actions, we would not look to convert any wilderness areas or other federally mandated areas such as wilderness, national parks, those type of things.

Legally, our requirement is to not search for alternative places to accept the displacement. And at that point that's a legal mandate for our EIS process, meaning what you are really asking is if we support getting out, finding other areas, helping someone else designate the area. That's outside the scope of this project.

MEMBER SHUMWAY: Outside the scope of the project because the military made it that way. Or does this require a congressional act?

MR. PROUDFOOT: That would take congressional action. As BLM looked at it, they might come and say...
we need to de-designate an area in order to open it up more for races. I think one was proposed earlier in this very meeting. But what I am saying is part of this proposed action, we are not required legally to come up with that particular alternative.

Our proposed action is listed down. We have shown what the impacts are going to be. I would say that if enough comments came in that sounds like that, we would certainly include that in the Final EIS we push out in the next seven or eight months. I feel like I danced around that.

MEMBER SHUMWAY: You did somewhat. And it wasn't in your mandate, I understand that. My next question would be, why isn't it? You don't need to answer that. But what would be the mitigation for what I am asking? And the mitigation would be a congressional act to designate that area?

MR. PROUDFOOT: Yes.

MEMBER SHUMWAY: So that would be mitigation for that. It would be a way to do it?

MR. PROUDFOOT: Yes.

MEMBER SHUMWAY: Okay, thank you.

MR. PROUDFOOT: Ms. Grossglass, did you have another question?

MEMBER GROSSGLASS: You remembered my name.
MR. PROUDFOOT: I could see the sign.

MEMBER GROSSGLASS: I have a process question. I just read about the Record of Decision. So FEIS comes out and the Record of Decision comes out and it goes into the Federal Register for the Department of the Navy and the DOI and then it goes before Congress?

MR. PROUDFOOT: That's correct.

MEMBER GROSSGLASS: What happens if -- or is it even a possibility that Congress kind of pooh-poohs what you say and they change it? Do we have to go back through the NEPA process; correct?

MR. PROUDFOOT: We would certainly have to go through a portion of that NEPA process if the direction from Congress was that that action, what they wanted was something so far off of what we had already analyzed that it required further environmental analysis. One would suppose if they took that action it would be, however --

MEMBER GROSSGLASS: One would suppose you got your ducks in a row before you spent millions of dollars on this.

MR. MITZELFELT: Ultimately, there will be a congressional action; right? Associated with this?

MR. PROUDFOOT: Absolutely.
MR. MITZELFELT: So I guess in your final EIR if you get significant comments that mitigation is not adequate to address the loss of OHV recreation or open area recreation in general, that Congress could come in and say, we want the agencies to identify new areas by such and such a date and so forth. Right?

MR. PROUDFOOT: Yes, sir.

MR. MITZELFELT: The other thing was one of my other duties is I'm the chair of the Local Agency Formation Commission. And so we actually have a representative here. And he mentioned to me that there are some special districts in the area that are being proposed to be overlaid. And I just want to alert you and everyone to the fact that there may be water districts that have wells that might be impacted, et cetera. And some of them are board governed, so they have the County of San Bernardino standing behind them. So if you could be sensitive to those. If you hear from the commission, that's part of their job to work out all these boundary issues, and we have just hundreds of special districts throughout the county.

MR. PROUDFOOT: We have been looking at a couple of those. That's a great point.

MEMBER SHUMWAY: One last easy question.
It's probably obvious to everyone else, but it's not obvious to me. I notice in all of your alternatives except for 4 -- are these brigades moving from east to west? Could you sort of explain why the arrows go from east to west in all of the other scenarios except for 4?

MR. PROUDFOOT: Both 4 and 5 are from west to east. So two of them go from west to east. What we attempted to do is we developed a final exercise. So when we talk about the Marine Expeditionary Brigade doing its training, it's about a 24-day cycle twice a year. Seventeen of those days would be workup preparation training.

And the final exercise of that of three to four days would be this exercise we have templated here. We were going to start them as far as we can to one side of the installation, and we created a three- or four-day design that we went right down the central pass -- this is what this unit is supposed to be able to do before it passes. And that's what led you to the depth required clear over into this area. If we were to do it under the current confines, we would get to day one and a half and we would be done right there.

MEMBER SHUMWAY: I have been there, so --
MR. PROUDFOOT: So that's exactly why the acquisition effort became required, because if you look at the fundamental tasks that Marines are supposed to achieve in order to be prepared to go into combat, they can't get them done without that additional depth.

CHAIRMAN BANIS: Any questions or comments?

Questions?

MR. PROUDFOOT: Can you go forward three slides for me? Here is the air space chart. This is a busy chart and actually built a little bit for military folks. But this is the current air space associated with the Combat Center R2501, surface level to infinity. We routinely give back anything above 26,000 feet to the FAA.

And this is a good sequeway to say we are in close partnership with the FAA and we are negotiating with them on any of the air space. As you may or may not know, the FAA has a separate but complementary process to what the NEPA process is. When we make a Record of Decision, when SEGNAN says, okay we have this decision, that's when FAA has to move into formal rule making to see if this can be supported or not.

What we are trying to do with them is figure out what the art of the possible is. As I'm sure
everyone who has flown over Southern California knows,
this is about the busiest jetway for commercial
aircraft certainly in the Southern United States,
heading into L.A., San Diego, Orange County. Large
numbers of commercial aircraft usually above 26,000
feet.

But that's -- when we create this new area
here to the west, above the west study area, that
would have impact on that jetway, and it's a singular
jetway.

Just to get to your question you asked
earlier, there are three other areas that we worry
about in this, and they're not jetways but victor
areas, which means they are below 18,000 feet. The
movement out of Big Bear slashes right into here and
then down, and one of the outlets from Palm Springs is
right along this corridor.

The problem is there is altitude to the west
that forces them more along the 247 line, and then
this new extension we would have to put in here is
really not a problem for the FAA, but this is one of
the primary exit routes for Palm Springs as you look
at them departing out.

This is not too terrible a problem. There is
obviously a bigger problem for the FAA as all those
jets are streaming right along that line. And working
with the Big Bear outlet, that's going to be
difficult. So again, that's part of the negotiation
process we have with the FAA. Does that kind of get
at what you were asking earlier?

MEMBER SALL: Could you clarify what the two
colors are?

MR. PROUDFOOT: The light blue means
restricted, meaning we are going to drop bombs in that
area, inside the red area. But that means we have
aircraft doing combat maneuvers. The darker blue
means we are doing normal aircraft stuff: Refueling,
circling, waiting to get into one of the blue areas,
depending upon how the exercise floats.

MEMBER SALL: Is there a range of height in
the blue area?

MR. PROUDFOOT: Yes, we are templating out
the number of days per year at what flight level we
would need in each one of the six areas to conduct the
exercise we are talking about. This is based on
sample training exercise we set up and apply to a
certain number of aircraft and sorties associated with
that over the course of the year.

MEMBER RUDNICK: Just one clarification. The
purple or darker blue, is that a restricted area or a
MR. PROUDFOOT: This would be a MOA or an ATCAA. And they are time- and altitude-driven, and they could be turned off or on as required coordinating with the FAA. The FAA would still own all that space, whereas the light blue space would be controlled and essentially owned by the Marine Corps.

MEMBER SHUMWAY: Are you saying that private pilots can fly at certain times and altitudes over the dark blue but never over the military space?

MR. PROUDFOOT: I wouldn't say never, but infrequently, certainly. For example, this MOA here which would be a new MOA exactly where we are talking would keep a 1500 and below free space for all the private air fields in the area so that the Cessnas that want to get into his private air field, he would still have that access to it. If he wanted to come from a higher altitude, he could do that with simple coordination with the Los Angeles Center (inaudible).

MEMBER GROSSGLASS: You said you are using the RPAA two months of the year? Are those continuous or separate?

MR. PROUDFOOT: In the template, they would largely be two -- about a one-month period.

MEMBER GROSSGLASS: It could be December and
June or --

MR. PROUDFOOT: Exactly.

CAPT. MANNWEILLER: When we do large-scale exercises like this, I mean 15,000 people, that's a lot of Marines. You have to get all the orders together and the equipment, everything else. We would probably be planning exercises two to three years in advance. So we are going to have an idea two to three years out of when we think these exercises are going to go.

MEMBER GROSSGLASS: So it may not be the same months every year?

CAPT. MANNWEILLER: Right. It may not be the same exact months every year. But again, if you think that's a better way to do it, please put that in a comment because that's exactly what we need to take to heart and say, okay, for planning purposes, how we do these exercises, we need to look at these months.

MR. PROUDFOOT: Thanks for that.

I know I'm probably short on time, but one more chart, please, and I will shut my trap. I just wanted to highlight the timings. We have our public meetings going on the 12th, 13th and 14th of April, all in a row. The first one will be at Copper Mountain College in Joshua Tree. The second one will
be in Ontario, and the third in this same room on the 14th.

The end of public comments is the 26th of May. And we would look to proceed with an FEIS roughly by the end of the year, hopefully leading to the Secretary of the Navy's ROD before spring of 2012, which would then start the legislative window.

And I know I have taken too much time and I very much appreciate you all accepting information on this project.

CHAIRMAN BANIS: Thank you kindly. We have a public comment period on this matter. If you would like to do a quick conclusion.

CAPT. MANNWEILLER: Absolutely. And just to emphasize, we know it's a large document. We tried to break it down a little bit on our Web site. The Web site is on any literature that we put out on the project.

But the best way to do it, just Google search Twentynine Palms and it's a Marines.mil Web site. And if you go to the main Web site for Twentynine Palms, down on the left-hand side, it has a breakdown of all the little sections, and it has one for land acquisition. If you click on that, it will go into the Web site and you have everything you need on
there.

So that will break it down. But again, this is a public dialogue because, honestly, as a public affairs officer, if we ruin completely our relations with the community, we are not going to be effective. We can't effectively train Marines for combat.

So this is a public dialogue. If you have strong opinions or ideas how we can do something better, please let us know. If there is a gray area that we danced around a question a little bit, we'll fess up and say we haven't really considered that much.

If you have a better idea for how we can go forward with that, please let us know. I want to jump in real quick and state, you know, during the last public comment period, we got roughly 19,000 comments. We are a month into this comment period; we have 90 comments. With the public meetings coming up on the 12th, 13th, and 14th of April, that will provide a lot better information. And once folks get some more information, they will have better comments to give.

The more constructive and organized the comments, the easier for us to take it to heart. Most of our comments have been great. I have gone to Pirate 4 by 4, and we have seen those in our comment
box, those are terrific. If you get a comment that says "you guys suck" or "go buy Jeeps," okay, awesome. That's fine. It's a registered comment. It goes in the record.

But if it says something like "We think your permitting process should look something like this," terrific. That's exactly what we need. So please go to the Web site for any information. It's a huge document. It's necessary that it's a large document. If this thing was 15 pages, somebody is screwing up big. That's just my two cents. Thanks for allowing us to come out and talk to you.

CHAIRMAN BANIS: Thank you. It was nice of you both to come in and explain the project to us. We have public comment requests from about seven individuals. In order to keep within the time period for the public comment, we will move into a two-minute comment period, please.

And I would like to call first, if it's all right, Marie Brashear.

MS. BRASHEAR: He answered two of the questions I had. My other question is, Is it available digitally on a CD or two CD's or three?

MR. PROUDFOOT: I have a CD that I can give to you.
CHAIRMAN BANIS: Next comment, and again, these comments would be best for the DAC, but make sure you set those dates into your appointment calendar so you can query the Marine Corps directly during their public comment period. I have Ed and John, followed by Kim.

MR. WALDHEIM: Ladies and gentlemen, all day long you have seen the continued erosion of our public lands. The California Recreational Access Council is taking it in the shorts with all the guns from the air and from the ground, from the missiles and from the submarines. We are bleeding to death on our public lands. And it just appalls me, to tell you the truth, that when is this going to stop until they shut us completely out, because that's what's happening.

Everything we talked about today is take, take, take, take, take. I'm getting tired of it. I'm really getting tired of it. God forbid I'm going to fight the Marines, but the Marines are wrong on this one. They didn't give us a nonalternative action. They don't need to go west. Okay, so go twice around your existing activity and create three days. Go around three times and create four days' activity.

Around the Rose Bowl you go hiking, you go around two times, three times. The more miles you
want, you keep going around. Why do the Marines have
to go in a straight line? Do a circle; go around it.

I'm tired of losing our public lands and the
access to the public is just eroding continually. So
I think we really need to get serious about this. The
Marines do not need that. It is not necessary. They
have not given us a no-action alternative, and they
haven't thought outside of the box. They started
taking this thing, and today I see exactly the same
thing we did four or five years ago, and I'm really
disappointed.

CHAIRMAN BANIS: Thank you, Ed. John
Stewart.

MR. STEWART: I'm John Stewart, California
Association of Four-Wheel Drive clubs. I found it
very interesting that the Captain made a comment, the
Marines don't play well with others. I think it's
about time that the Marines started playing well with
others and looked at doing joint cooperations and
really take a good hard look at Fort Irwin and use the
existing facilities. The recreational community has
already lost major tracts of land to the Fort Irwin
expansion, and that's a process that goes largely
unused.

Second, I'm kind of concerned when you talk
about the permitted events and some of the lack of
specificity as far as when these months of training
will be defined. And yes, there are ten months out of
the year, maybe two. And the Marines say, well, it
takes us time. We are going to be doing planning a
couple years in advance, but things change at the last
minute. That's standard military operation. Things,
schedules slip by one or two months even towards the
end.

By the time you start looking at a permitted
event, then, you may start impacting the commercial
activity such as the King of the Hammers that have
scheduled an event, and they are working with
commercial entities. And they have hundreds of
thousands of dollars laid out and they stand to lose
if there is a schedule slippage on the part of the
Marines. I think that's an unacceptable way to
address it.

In order to get in there, the general public
is going to have to, what? Apply for the permit from
the BLM plus apply for this training through the
Marines? And when you have a permitted event, what
about the spectators that attend? Is it just the
participants or also the spectators that have to go
through the training? There are a lot of questions
and logistics on that that make it almost an unmanageable process.

And finally, when you look at the desert, the Marines and, in fact, the U.S. government over the years has been one of the biggest polluters of the desert, and they are still refusing to honor the commitment to keep the desert clean. There are many areas out in the desert with unexploded ordnance that the U.S. government is still refusing to clean up. Go back and play in your own sand box that you have dirtied, or clean them up so they can be turned back to recreational opportunities.

CHAIRMAN BANIS: Thank you. Kim Campbell, followed by Jerry Grabow.

MS. CAMPBELL: As I have looked at Chapter 6 of the impacts and mitigation proposed, it looks to me as if there are at least two popular rockhounding sites, very popular rockhounding sites, one in the west expansion area and one in the east. And both contain very unique material that will be a loss, and I hope that's considered or maybe that could be carved out there near the borders.

The other thing I wanted to comment on, it appears to me they say there are no mining impacts because there are no active mines. I might be
ignorant about what is required to address mining impacts, but it seems to me if there are minerals, there are mining impacts. I don't think that has been properly addressed, but I will be attending the meetings and I will address it further at that time.

CHAIRMAN BANIS: We will see you there.

Harry, Jerry, and then John Dalgleish.

MR. VICK: Harry Vick with the Partnership for Johnson Valley. And I'm very concerned about the joint use area on the southern edge of the Johnson Valley OHV area where the Marines are going to. And I understand they are going to be shooting from the east into the west. That was what the arrows actually represented, not just the march of the Marines, but the actual live firing into the Johnson Valley area and the impact of that area will have on the residents, and the economic impact that it will have on the residents and the businesses in the Johnson Valley area.

I don't think the Marines have considered that. In every one of their alternatives, they have shown they want that area around the Hardwood Hills which is the KOH, King of the Hammers, area. It has been considered and was one of the primaries for the Marines, and they have always had that in their plan.
to take that, either as a permanent base or as a joint use area. Now they are saying that the joint use area is restricted to only 10 months that we can use it out there but have to go through a permitting process. I don't understand that. If it's a joint use, why can't we use it when the Marines don't use it, unrestricted like we do today.

I have a big concern also on the air space and the impact it has on the residents in that area. The darker blue areas were shown as a holding pattern for the aircraft to fly into the expanded base. I understand there will be bombing in the Johnson Valley area. And it was mentioned there would be bombs and grenades and all the rest of that stuff. But what happens if one ordinance gets dropped prematurely? It goes right into the residents living in the Johnson Valley, and I am concerned and I will address those further.

And I would like to see on the map an alternative. Those two little spurs of the yellow lines pointing up north into the Marine base today, what were they representing? Why can't they go to the north side of Galloway Dry Lake and stay out of the Hardwell Hills area for all their training and leave the southern part of the Johnson Valley area as
permanent OHV area?

CHAIRMAN BANIS: Thank you. Jerry Grabow followed by John Dalgleish and then Helen Baker.

MR. GRABOW: In the item -- in the preferred -- in the alternatives 4 and 5, were those always a co-use area? That was one of the questions I had for them.

And also, they made the comment about the -- I mean, is that appropriate to ask that here?

CHAIRMAN BANIS: Is there an easy response? Do you understand the question?

MR. PROUDFOOT: Ten months of the year it would be permitted access.

MR. GRABOW: In the initial -- two years or three years ago when we saw these proposals, was it always a co-use?

MR. PROUDFOOT: No. That came from those comments.

MR. GRABOW: Okay. That was my question.

CHAIRMAN BANIS: Thank you. Thank you very much, Jerry. John Dalgleish.

MR. DALGLEISH: I have a couple points I want to bring up. They are mainly questions, but I would like to know why is the OHV recreation group the only group that keeps getting asked to give up our land?
It's a very small amount of land we have left anymore, and every time somebody wants land for anything, the first place they go is OHV land. I don't understand it.

Earlier today we heard about mitigation being put in for -- I believe it was a solar project. And mitigation for that land is 3 to 1. They have to provide three acres or three square miles of lands to take one square mile. Why can't we at least get 1 to 1 mitigation? For every square mile of land you take from OHV, you have to buy OHV lands somewhere else to open up to us and similar like land. Thank you.

CHAIRMAN BANIS: Thank you, John. Helen Baker, would you like to close out the comment period for us?

MS. BAKER: Oh, yeah. Helen Baker, speaking on behalf of the Johnson Valley Improvement Association.

Speaking in response to an answer that was given to Council Member Sall when she asked, would there be possibly additional activity happening on private property if this area was not opened to the OHV activity as it is today? And the answer was, yes, we expect there will be an increase in illegal OHV activity and we will partner with the community to fix
I find that response to be cavalier. And I also have to say, with all due respect to the Marines and to all of our service members, how dare you? How dare you perpetrate this atrocity on the community and then ask them to help fix it? It's your problem, not theirs. Thank you.

CHAIRMAN BANIS: Thank you, Helen. Well, we have run quite the gamut of discussions today. Quite the gamut of issues. Do you want a closing comment?

MEMBER SHUMWAY: I don't know if it's closing comment. I would like to respond to John Dalgleish. I realize that the DAC meetings, being a minority of the people here, I'm not a part of the off-road community, but I do use roads in my work. I go out in the desert all the time. I'm aware of the off-road community and their needs.

However, the off-road community is not the only sector that uses the desert that has been impacted by not only the proposed military actions, but wilderness actions, park actions. In the mining business, I could probably sit down and list -- look at a map and list 100 sites taken out of total mineral entry because of a variety of actions by the federal government which restrict access in some way or
another.

So I would just like to remind the off-road community who has usually been a partner in opposing many of these, for example, wilderness actions, that the off-road community is not the only community that is impacted by closure of public access to public lands.

CHAIRMAN BANIS: Thank you. We will wrap this item up -- Ron, please.

MEMBER JOHNSTON: Just one thing that, and maybe something happened during the year that I was not on the board, but originally when this first came up, after two or three presentations by the Marine Corps, there was serious discussion about replacing the land that was being taken, whether it's for use by equestrians or use by OHV or for other purposes, because there is so much military land that is unused around the state.

Has the military come back with anything further in the way of replacing this land that they want to now take with other military lands now not being used?

MEMBER GROSSGLASS: Not that I can see in their PDEIS, but I'm not an expert.

CHAIRMAN BANIS: I hope you will all come
back to this room very shortly and hear their
presentation again and bring your comments there.

If everybody could take out their appointment
book. Today we started by adopting a framework for
future meetings that will be topical. There would be
issues timely, effective, and in which the DAC's
participation would be timely, effective and
significant. We also saw a focus through the morning
on renewable energy. In June we hope to see a topical
focus of recreation. In September we will see topical
focus of user fees. And in a potential November/
December meeting, we will be looking at desert
landscape issues.

We suggested methods for boosting public
participation. We also determined a wind-down process
for the renewable energy subcommittee. We engaged
some eight members of the public on SRP issues and
solicited approximately 30 comments. We established a
subgroup for the SRP's and received numerous
applications.

We received -- heard an enjoyable
presentation from Wally Cahill on "How the West Was
Fun" and we hope it continues to be how the west was
fun. And we also heard today a very informative and
comprehensive presentation on the expansion of
Twentynine Palms. Hopefully we heard enough to entice us back to this room or another room near our communities where we can continue to participate in this process or actually participate in the process that the Marine Corps has in front of it for acting on this proposal. So, wow, that was quite a day.

MEMBER SHUMWAY: Two days.

CHAIRMAN BANIS: The next meeting is currently set for June 3 and 4 in the beautiful San Diego area.

MEMBER GROSSGLASS: Is the theme user fees?

CHAIRMAN BANIS: The theme is recreation.

MEMBER GROSSGLASS: Okay.

MEMBER HOLLIDAY: Were we going to do anything about this letter that was circulated that we pulled out, this letter that we were looking at possibly reissuing this to Teri?

CHAIRMAN BANIS: Yes. Dinah offered and requested to have a first shot -- first pass at drafting any revision that we might want to see and updating it. And Dinah can circulate that to us all. And this might be even a good topic for us to talk about at our wind-down meeting for the renewable energy subcommittee meeting.

MR. HALLENBECK: Is it the June 6th date?
June 3 and 4?

CHAIRMAN BANIS: Yes, 3 and 4.

MEMBER HALLENBECK: Is that set in concrete?

CHAIRMAN BANIS: Let's say unless -- I would say unless there's unanimity around an alternate date, I would say it's been set in concrete. It's been on the calendar for a while, and folks have planned around it.

MEMBER GROSSGLASS: I have graduation requirements for members of my family.

CHAIRMAN BANIS: For every additional member we gain at the table, we lose another. My apologies, but I think that was set.

MR. HALLENBECK: I was going to propose 17th.

MEMBER SALL: Works for me.

MEMBER GROSSGLASS: I can't do that.

MEMBER SHUMWAY: You mean in June? I support the original date.

MEMBER JOHNSTON: I do, too.

CHAIRMAN BANIS: We love you, Tom. We do. But then let's look ahead, please.

MEMBER RUDNICK: It's my birthday. Can I celebrate it here?

MEMBER GROSSGLASS: Margaritas.

CHAIRMAN BANIS: And some chicken ribs.
September, how is that looking? Could I throw something our for September just to see? Let's start with the 10th and 11. The 3rd, I believe, is labor day weekend.

MEMBER SALL: 9th and 10th.
CHAIRMAN BANIS: Thank you.
MEMBER HOLLIDAY: That would be the preferred date for me.

MS. SALL: The only one for me.
MEMBER RUDNICK: That's not my birthday.
MEMBER GROSSGLASS: That's good for me.
CHAIRMAN BANIS: The 9th and 10th seems to be a consensus. Great, 9th and 10th it is. Do we want to go far out and look at November and December.
MEMBER RUDNICK: What are the locations?
CHAIRMAN BANIS: September meeting was Ridgecrest, and that topic would be user fees, the one district that doesn't really have them except at Fossil Falls.
MEMBER RUDNICK: We could do livestock ranging.
MEMBER GROSSGLASS: Can we do the first weekend in December?
CHAIRMAN BANIS: The 3rd and 4th of December.
MEMBER GROSSGLASS: The 2nd and 3rd.
MR. RAZO: We have made a call to find out the availability of the room. So what we will do is you can come up with dates that work for you and then we will see if they match with what is available out there. And then we will have to work it out by e-mail.

CHAIRMAN BANIS: So we can't just show up? Let's jump in and suggest the 2nd and 3rd.

MEMBER HOLLIDAY: Of December?

CHAIRMAN BANIS: And if worse came to worse, would anyone want to consider the week before, or the week after? The week before is Thanksgiving, so that ain't going to fly.

MEMBER GROSSGLASS: That's kind of a busy month.

CHAIRMAN BANIS: I would say we will beg for the 2nd and 3rd.

MR. RAZO: That would be a meeting regarding the national landscape system. Would be in the Rancho Palos Verdes Peninsula. The Rancho Palos Verdes Center.

CHAIRMAN BANIS: Unless there is another alternative date, I don't know that we are having any other suggestions. So we will beg for Holly's okay on that. All righty.
MEMBER RUDNICK: Where is the meeting in June?


MR. RAZO: Do you have a favorite restaurant in San Diego for your birthday?

MEMBER RUDNICK: Somewhere on Coronado Island.

MEMBER ACUNA: Where would the meeting location be?

MR. RAZO: We will find it.

CHAIRMAN BANIS: Are there any agenda items on the agenda for June in San Diego? The recreation will be the key topic. We will try to keep some room on the agenda for an emergency or an unexpected item that may come up between now and then, but our theme would be recreation.

MEMBER HOLLIDAY: I'm sure there will be a report from our SRP subgroup.

MEMBER ACUNA: Quick question. The theme is recreation in San Diego. Are we going to have a fieldtrip on Friday? And if we do, can we blend a visit to McCain Valley to look at the new wind generation proposed for the recreational site? It's not too far to drive and easy to get to from San
Diego.

MEMBER GROSSGLASS: It's a pretty far drive, though.

MEMBER ACUNA: It's an important place.

MEMBER GROSSGLASS: We have to schedule an hour and a half both ways.

MEMBER ACUNA: We have to have a field trip on Friday anyway.

MEMBER GROSSGLASS: I wasn't arguing that.

CHAIRMAN BANIS: Any other agenda items?

MEMBER SHUMWAY: Will there be an update on the PEIS process? It doesn't need to take up a lot of time, but I think it's important that we keep apprised on it on a regular basis.

CHAIRMAN BANIS: We will be reporting on the wind-down of the subcommittee.

MEMBER HOLLIDAY: And something we talked about at lunch, people that are on the DRECP, I would really like to see somehow how the PEIS and DRECP merge. How are the lands that are being set aside for these renewable areas, do they have any connection? Are these two initiatives somehow merging somehow? And get some kind of a feel for that because it seems to me -- and I'm not an expert on either one of them -- but it seems like each one of them is trying
to segregate or set aside land for renewable areas. And is there a duplication of effort there? Are they both setting aside the same land?

CHAIRMAN BANIS: Maybe.

DIRECTOR RAML: We hope so.

CHAIRMAN BANIS: Well, then, before I turn the microphone on to -- oh, OHV division issues and WEMO will be a hot topic on for recreation. Before I turn the agenda -- the microphone to Teri to have her closing remarks, might I remind everybody of the passing of a former DAC member that many of us knew and worked with and were very fond of him. That would be Bill Betterley. I wonder if I might entertain a motion to adjourn today's session in his memory.

MEMBER RUDNICK: So moved.

MEMBER ACUNA: Second

CHAIRMAN BANIS: Moved by Richard and Tom seconded that motion. Is there any opposition? Good, thank you, that motion passes.

And Teri, would you care to close the meeting today?

DIRECTOR RAML: Yes. This comes in maybe a little bit of jarring, but if you could turn your attention a little bit to the screen for me.

One of the issues that came up very -- well,
one of the concerns, the needs that came up frequently
in the last two days was the desire of the Council to
have follow-through, to know that we are taking into
account their suggestions, that we are hearing them
and noting them, and that we will provide feedback.

So Don, he put together this format that I
propose that we will use. I'm not going to go through
it. I think we are at the end of our patience,
maybe -- it's Saturday afternoon. Time to go. But
that's a format that I think we will use. We will try
to keep track of those and post them on the Web site.
And it identifies actions -- I think Randy covered a
summary of what we had done, but there were smaller
items that we will track and then you see there is BLM
response and a date.

So what we will try to do is I will try to do
some of this in between the meetings. And after that
we will also maybe make it something that we cover at
the very beginning of the meeting as part of the
business is to track through those items and keep a
living record of them. And I'm looking at Dick while
I say those.

With that, I want to thank everybody. Thank
those of you that stayed with us all day. Thank
goodness it was a little brisk outside; otherwise, you
I would have given up a good day of recreating in the desert. I will close the meeting in honor of a man that sounds like I didn't have the privilege to meet and work with. A great guy.

(Proceedings adjourned at 4:28 p.m.)
REPORTER'S CERTIFICATE

I, Judith W. Gillespie, a Certified Shorthand Reporter, No. 3710, for the State of California, do hereby certify that the foregoing pages comprise a full, true and correct transcription of the proceedings had and the testimony taken at the hearing in the hereinbefore-entitled matter of Saturday, March 26, 2011.

Dated this 8th day of April, 2011, at Riverside, California.

JUDITH W. GILLESPIE, CSR, RPR, CLR
(CSR NO. 3710)
A. MOVE: Sall
SECOND: Acuna
MOTION: To approve the transcript of the December 11, 2010 meeting of the DAC
RESULT: Motion passes

B. MOVE: Grossglass
SECOND: Acuna
MOTION: To approve the agenda for the DAC March 26, 2011 meeting
RESULT: Motion passes

C. MOVE: Acuna
SECOND: Johnston
MOTION: To adopt the framework of the actions proposed during the March 25, 2011 business meeting
RESULT: Motion passes

D. MOVE: Shumway
SECOND: Sall
MOTION: To adopt the draft bylaws for the Desert Advisory Council as discussed March 25, 2011
RESULT: Motion passes

E. MOVE: Sall
SECOND: Shumway
MOTION: To recirculate an updated version of the April 4, 2007 letter submitted to the BLM from the DAC regarding alternative energy
RESULT: Motion passes

F. MOVE: Banis
DECLARATION: To formally establish the SRP subgroup, with a 45-day application period for the seven-member subgroup, with the DAC being represented by Meg Grossglass
G. MOVE: Shumway
   SECOND: Acuna
   MOTION: To table the Abandoned Mines presentation to a future meeting
   RESULT: Motion passes

H. MOVE: Rudnick
   SECOND: Acuna
   MOTION: To adjourn this session of the DAC in memory of Bill Betterley, former DAC member
   RESULT: Motion passes
APPENDIX B

PUBLIC WRITTEN COMMENTS

RE SRP AND TWENTYNINE PALMS MARINE CORPS
AIR-TO-GROUND COMBAT CENTER PROPOSED EXPANSION